

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

Monday, June 3, 2019 at 7:00 p.m.

1. Call to order; Roll call
2. Pledge of Allegiance.
3. Confirmation of appropriate meeting notice posted on Friday, May 31, 2019.
4. Council acceptance of agenda.
5. Public Hearing:
 - A. The City Council will hold a public hearing to hear comments regarding sidewalk special assessments for the Sweeney Road Reconstruction Project.
 - B. Close the Public Hearing
6. Consider payment terms and adoption of City of Edgerton Resolution 15-19: Preliminary Resolution declaring the City Council's intentions for the Sweeney Road Reconstruction to exercise special assessment police powers under Sec. 66.0703 Wis. Stats.
7. Personal appearances for non-agenda items limited to 3 minutes.
 - A. The public will be allowed to speak on agenda items during the meeting.
 - B. Recognition of retiring Public Works Director Tom Hartzell.
8. Minutes:
 - A. Consider approval of minutes from May 20, 2019 Council meeting.
9. Committee Reports:
 - A. Finance Committee:
 1. Consider approval of bills and payroll vouchers.
 2. Consider approval of licenses.
 - a. Operator's Licenses for:
 - i. Megan Luchsinger
 - ii. Katie Crisp
 - iii. Luccas Contreras
 - b. Class "B" Beer License Renewal for:
 - i. Mario's Italian Restaurant, LLC, agent Carla Zimmerman
 - ii. Vannie Gogh, agent Brian Dudgeon
 - c. "Class B" Combination Liquor & Beer License Renewal for:
 - i. Towne Country Club, Inc., agent Michael Hesselman
 - ii. 2 Brothers Bar & Grill, agent Ilir Banushi
 - iii. Café on Main, agent Ilir Banushi
 - iv. El Patron Mexican Grill, agent Alejandro Ramirez
 - v. Last Nite Bar & Grill, agent Terri Nottestad
 - vi. TK's Decoy Bar & Grill, agents Tom & Carol Kuhlow
 - vii. The Pit Stop of Edgerton LLC, agent James Lytle
 - viii. The Baron LLC, agent Ilir Banushi
 - ix. Lounge 1848, agent Ilir Banushi

- d. Class "A" Beer License Renewal for:
 - i. Kwik Trip #675, agent Sarah Pierce
 - ii. Stop-n-Go #214, agent Andrew Bowman
 - e. "Class A" Combination Liquor & Beer License Renewals for:
 - i. Cowley's Family Foods, Inc (Piggly Wiggly), agent Jason Cowley
 - ii. Game Day Beverage, Inc, agent Jasbeer Kaur
 - iii. Pharmaventures, Inc (Edgerton Pharmacy), agent Jenna Gresens
 - iv. Burns Full Service, LLC, agent Casey Burns
 - v. K and B LLC (Hotspot Liquor and Smokes), agent Basant Kumar
 - f. Class "C" Wine License Renewal for:
 - i. Vannie Gogh, agent Brian Dudgeon
 - g. Cigarette & Tobacco License for:
 - i. Family Dollar Stores of WI
 - ii. Game Day Beverage, Inc
 - iii. Cowley's Family Foods, Inc (Piggly Wiggly)
 - iv. 2 Brothers Bar & Grill
 - v. Kwik Trip #675
 - vi. Stop-n-Go #214
 - vii. Burns Full Service, LLC
 - viii. Casey's General Store
 - g. Dance Hall Permits to:
 - i. The Baron LLC
 - ii. 2 Brothers Bar & Grill
 - iii. Lounge 1848
 - iv. TK's Decoy Bar & Grill
 - v. Edgerton Towne Country Club, Inc
 - vi. Last Nite Bar & Grill
 - h. Sandwich Board Permits to:
 - i. The Baron LLC
 - ii. 2 Brothers Bar & Grill
 - iii. Lounge 1848
 - iv. Game Day Beverage, Inc
 - v. Emmaus Community Church
 - vi. Perfect Corner
 - vii. Ripples Resale
 - viii. Hemp 1848
 - i. Private Property on Public Sidewalk Permit to:
 - i. Burns Full Service, LLC
 - ii. Ripples Resale
 - 3. Consider public event packet and request to waive fees for Edgerton FFA Alumni for Truck and Tractor Pull.
 - 4. Consider Temporary Class "B" License for Edgerton FFA Alumni on June 16, 2019.
 - 5. Consider public event packet and request to waive fees for Edgerton Lions' Club Independence Day Celebration.
 - 6. Consider Temporary Class "B" License for Edgerton Lions' Club on July 3rd.
 - 7. Consider change order for Sweeney Rd. project.
 - 8. Consider agreement with Clark Companies for landscape services.
 - 9. Consider bids for asbestos assessment at 407 N Main St.
 - 10. Consider adoption of Shared Ride Taxi Procurement Policy addendum regarding Appeals Process.
- B. Tree Board:
- 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.

C. Fire District:

1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.

10. Consider request from Alliant Energy for easement at substation located on South Ave.

11. Consider lifting hiring freeze for Department of Public Works operator.

12. Mayor, alderperson and staff reports.

13. Adjourn.

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.

CITY OF EDGERTON RESOLUTION No. 15-19

**PRELIMINARY RESOLUTION DECLARING THE CITY COUNCIL'S INTENTIONS
FOR THE SWEENEY ROAD RECONSTRUCTION TO EXERCISE SPECIAL
ASSESSMENT POLICE POWERS UNDER SEC. 66.0703 WIS. STATS.**

The Common Council of the City of Edgerton, Rock and Dane County, Wisconsin, does resolve as follows:

1. The Common Council hereby declares its intention to exercise its police power under Sec. 66.0703 Wis. Stats. to levy special assessments upon property in accordance to the attached assessment schedule for the Sweeney Road Reconstruction Project conferred upon such property.
2. The public improvements shall include the installation of sidewalk for properties on Sweeney Road listed in the attached schedule.
3. The total amount assessed against the properties in the defined assessment district shall not exceed one hundred percent (100%) of costs associated with the sidewalk work. The Common Council determines that the improvements constitute an exercise of the police powers and the amount assessed against each parcel shall be based on the actual cost of the work.
4. The assessment against any parcel within the corporate limits of the City of Edgerton may be paid in cash or may be paid in ___ () annual installments if the assessment is \$ _____ or more. Installment payments for parcels within the corporate limits of the City bear interest of _____ (%). Installments not paid when due shall bear additional interest on the amount due at the rate of twelve percent (12%) per annum.
5. The Public Works Director shall prepare a report, which shall consist of:
 - (A) Preliminary plans and specifications for the improvements.
 - (B) An estimate of the entire costs of the proposed project improvement; and
 - (C) A schedule of proposed assessments.
6. When the report is completed, the Public Works Director shall file a copy of the report with the City Clerk for public inspection; and the State Board of Commissioners of Public Lands, and the State Department of Administration, and the State Building Commission, if necessary.
7. Notice of the proposed special assessment will be published once in the EDGERTON REPORTER and a copy mailed to every interested person whose post office address is known or can, with reasonable diligence, be ascertained, not less than ten (10) nor more than forty (40) days before the hearing.
8. Upon receiving the report of the Public Works Director, the City Clerk shall cause notice to be given stating the nature of the proposed improvement, the general boundary lines of the proposed assessment district, the time and place at which the report may be inspected, and

the time and place of the public hearing on the matters contained in the preliminary resolution and the report. This notice shall be published as a Class 1 Notice and a copy shall be mailed, at least ten (10) days before the hearing, to every interested party.

9. The public hearing shall be held at the Edgerton City Hall, 12 Albion Street, Edgerton, WI 53534 at a time set by the Clerk/Treasurer in accordance with Sec. 66.0703(7), Wis. Stats.

Passed and adopted this 3rd day of June, 2019.

Motion by

Second by:

Roll Call Ayes: Noes: --

Christopher Lund, Mayor

ATTEST

Ramona Flanigan, City Administrator

SWEENEY ROAD
Schedule of Preliminary Special Assessments

Parcel No.	Computer No.	Parcel Address	Sidewalk				Sidewalk in Driveway				Total Estimated Cost			
			Linear Feet	Width	Total Square footage	cost per sq ft	Total Cost	Linear Feet	Width	Total Square footage		cost per sq ft	Total Cost	Adm cost
6-26-647.18	221-126008		125	4	500	\$ 7.00	\$ 3,500.00	0	4	0	\$ 8.00	\$ -	\$ 10	\$ 3,510.00
6-26-647.14	221-126004	901 Sweeney Rd	2	4	8	\$ 7.00	\$ 56.00	0	4	0	\$ 8.00	\$ -	\$ 10	\$ 66.00
6-26-647.13	221-126003	819 Sweeney Rd	65	4	260	\$ 7.00	\$ 1,820.00	17	4	68	\$ 8.00	\$ 544.00	\$ 10	\$ 2,374.00
6-26-647.12	221-126002	815 Sweeney Rd	50	4	200	\$ 7.00	\$ 1,400.00	28	4	112	\$ 8.00	\$ 896.00	\$ 10	\$ 2,306.00
6-26-647.11	221-126001	811 Sweeney Rd	69	4	276	\$ 7.00	\$ 1,932.00	16	4	64	\$ 8.00	\$ 512.00	\$ 10	\$ 2,454.00
6-26-844.3	221-16002	809 Sweeney Rd	140	4	560	\$ 7.00	\$ 3,920.00	0	4	0	\$ 8.00	\$ -	\$ 50.00	\$ 3,930.00
					1,244		\$ 8,708.00			244		\$ 1,952.00	\$	\$ 10,710.00

**May 20, 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, and Anne Radtke

Excused: Jim Burdick

Others Present: City Administrator Ramona Flanigan, Public Works Director Tom Hartzell, City Clerk-Treasurer Cindy Heggglund, Utility Director Randy Oren, City Attorney Bill Morgan, Jeff Brown with the Edgerton Reporter, and a few citizens.

Heggglund confirmed the meeting agendas were properly posted on Friday, May 17 2019 at the Post Office, Edgerton Library and City Hall.

ACCEPT THE AGENDA: A Candy Davis/David Esau motion to accept the agenda as presented passed, all voted in favor.

MINUTES: A Candy Davis/Sarah Braun motion to approve the minutes from the May 6, 2019 Common Council meeting passed, all voted in favor.

A Candy Davis/David Esau motion to approve the minutes from the May 13, 2019 Joint Common Council and RDA meeting passed, all voted in favor.

COMMITTEE REPORTS:

Finance Committee: A Candy Davis/Sarah Braun motion to approve the bills and payroll list in the amount of \$194,796.89 passed on a 5/0 roll call vote.

A Candy Davis/David Esau motion to approve a Tobacco License for K and B LLC dba Hotspot Liquors & Smokes passed on a 3/2 roll call vote. Debbie Olson and Anne Radtke voted against the motion.

A Debbie Braun/David Esau motion to approve the Tax Collection Agreement with Rock County passed on a 5/0 roll call vote.

A Candy Davis/David Esau motion to award the bid to R.T. Fox Contractors, Inc for the Sweeney Rd reconstruction project passed on a 5/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve the addendum to the Cedar Corporation contract for the Racetrack Park ball diamond layout passed on a 5/0 roll call vote.

A Candy Davis/David Esau motion to approve the addendum to the Cedar Corporation contract for the design and reconstruction of the S Main St WDOT project passed on a 5/0 roll call vote.

407 N MAIN ST AGREEMENT AMENDMENT: Flanigan reported the amendment would permit the City to remediate the hazards inside the building and to raze the structure with assistance of a grant from the WEDC.

A Candy Davis/Debbie Olson motion to approve the amended purchase agreement for 407 N Main St passed on a 5/0 roll call vote.

TOURISM ZONE: James Kapellen and Vicki Morris, volunteers promoting a tourism zone, presented a plan to create a Tourism Zone with the Towns of Fulton and Albion. Kapellen stated Fulton and Albion have given verbal support for creating this zone. A Tourism Zone is a geographical area where a room tax is collected on overnight lodgings. The tax revenue is used to promote tourism in the surrounding Edgerton area.

A Candy Davis/David Esau motion to move forward with the creation of a tourism zone passed on a 5/0 roll call vote.

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

Cindy Hegglund/wl
City Clerk-Treasurer

Adopted June 3, 2019

Memo

To: Common Council
From: Staff
Date: 5/31/2019
Re: June 3, 2019 Meeting

Sweeney Road Special Assessments: Sweeney Road south of St Joseph's Circle will be reconstructed this summer. According to City policy, missing sidewalks are to be installed with all street reconstruction projects. A portion of Sweeney Road does not have sidewalk. The City Council will hold a public hearing regarding special assessment charges to benefitting property owners for the project. Assessments will pay for the installation of new sidewalk where these improvements do not exist.

There are six landowners listed on the attached preliminary special assessment schedule. The resolution included in your packet requires the Council determine the interest rate, the minimum assessment amount that will be financed, and the number of years the owner will have to repay the special assessment. Please recall the City assigned special assessments to land owners on Chaucer Street last year for new sidewalk and curb and gutter. The terms assigned to Chaucer Street special assessments were 3.5% with a 10 year term. The minimum payment to be financed was \$200.

Clark Companies 2019 contract: The attached contract for tree trimming and baskets is the same as the prior years' contract except for the following: the dates when the summer baskets are install changed from May 20 to May 31 and when they are removed from the first killing frost to September 15th; and the contract amount increased \$2,500 based on the 2019 budget.

Building Hazards Assessment at 407 N Main St: The City received 3 quotes for building hazards (lead, asbestos, etc) evaluation for 407 N Main Street. An evaluation of the bids will be provided at the meeting.

Alliant Easement for South Ave substation: Alliant Energy plans to reconstruct the electrical substation on South Ave. They are requesting an easement from the City to allow them to place the stone channel that serves as the outflow of their stormwater basin onto City property. The easement is 25'x65'.

Sweeney Road Project Change order: The Sweeney Road project will require the resurfacing of approximately 205' of Chamberlain Street east of Sweeney Road. That would leave approximately 135 feet of Chamberlain St between the project end and Blaine St. in its current condition. The Public Works Director is recommending we resurface this section of Chamberlain Street as it is badly "alligatored". The estimated cost (based on bids) is \$6,550. This would be a change order to the Sweeney Road project and would come from the 2019 borrowing.

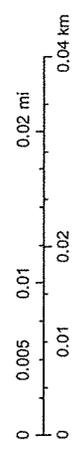
Lift Hiring freeze for PW Operator: As you are aware, a public works operator retired last month. Given that this is a very busy time of year and the upcoming retirement of the Public Works Director, it is recommended the hiring freeze be lifted and the vacant operator position be filled.



May 30, 2019

Parcels

1:511



Rock County Real Property Lister

EASEMENT – STORM WATER DRAINAGE

Document No.

The undersigned City of Edgerton, (hereinafter called the "Grantor"), in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, convey and warrant unto Wisconsin Power and Light Company, a Wisconsin corporation, (hereinafter called the "Grantee"), the Grantee's successors and assigns, the perpetual right and easement to utilize, maintain, operate, repair, inspect, replace the Designated Facilities, as defined below, upon, in, over, through and across lands owned by the Grantor in the City of Edgerton, Rock County, State of Wisconsin, said Easement Area to be described as follows:

See Exhibit "A" for the easement description and Exhibit "B" for the easement depiction, attached hereto and made a part hereof.

Record this document with the Register of Deeds

This easement is subject to the following conditions:

1. **Designated Facilities:** This easement is for the limited purposes of constructing, installing and maintaining private storm water management and drainage facilities, including but not limited to flowage swales, spillway and drainage features, and repair and maintenance of the storm water management facilities.
2. **Cost/Expenses:** The Grantee shall be responsible for all costs of design, construction/installation and maintenance of the Designated Facilities, and will be conducted in accordance with all applicable laws, codes, regulations and similar requirements.
3. **Access:** The Grantee and its agents shall have the necessary rights to enter upon the premises described above for the purposes of exercising the rights conferred by this permanent storm water drainage easement; and have the right of reasonable ingress and egress to, over and across the Grantor's land adjacent to the easement for the purposes of accomplishing the purposes of this permanent storm water drainage easement.
4. **Buildings and Structures:** For the duration of this permanent easement, the Grantor agrees that within the easement area, as described above, not to construct or place buildings, structures or improvements without the express written consent of Grantee.
5. **Landscaping and Vegetation:** The Grantee has the right to trim, cut down and remove trees, overhanging branches, bushes and brush existing within said permanent easement.
6. **Reservation of use by the Grantor:** The right is hereby expressly reserved to the Grantor, the heirs, successors and assigns, of every use and enjoyment of said land within the Easement Area, and of the Designated Facilities, consistent with rights herein granted. The Granting of the Easement shall be deemed permissive and shall preclude the Grantee from any claim of adverse possession against the Grantor by virtue of the granting of the Easement.
7. **Binding Effect:** This agreement is binding upon the heirs, successors and assigns of the parties hereto, and shall run with the lands described herein.
8. **Term/Termination:** The term of this Easement shall commence on the date that this Easement is signed, and except as otherwise herein provided, shall continue in perpetuity, notwithstanding the foregoing, this Easement may be terminated by recording with the Register of Deeds Office for Rock County, Wisconsin, a written instrument of termination signed by the Grantor and Grantee.
9. **Damages:** The Grantee shall pay for all damages to property of the Grantor and all losses arising at any time out of the exercise by it of the rights herein granted caused by the construction, maintenance or removal of the Designated Facilities. Prior to the exercise of any of the rights given to the Grantee herein, Grantee agrees to give Grantor reasonable advance notice in writing of the exercise of such rights.
10. **Notices:** All notices to be given by the Grantee under the terms of this Easement shall be signed by the person sending the same, and shall be sent by certified mail, return receipt requested and postage prepaid to the address of the party specified below:

Name and Return Address:

Alliant Energy
Attn: Real Estate Department
4902 North Biltmore Lane
P. O. Box 77007
Madison, WI 53707-2007

Parcel Identification Number(s)
6-26-520.500

For the Grantor: City of Edgerton
12 Albion Street
Edgerton, WI 53534

Exhibit A

Grantor's Property:

Part of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$), and part of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$), of Section 10, Township 4 North, Range 12 East, as park dedicated to the public on the Orchard Heights Plat, in the City of Edgerton, Rock County, Wisconsin.

Grantee's Property:

Being Lots 6, 7, 8, and 9, Block 7, Dorow's Addition to the City of Edgerton, located in the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), Section 10, Township 4 North, Range 12 East, City of Edgerton, Rock County, Wisconsin.

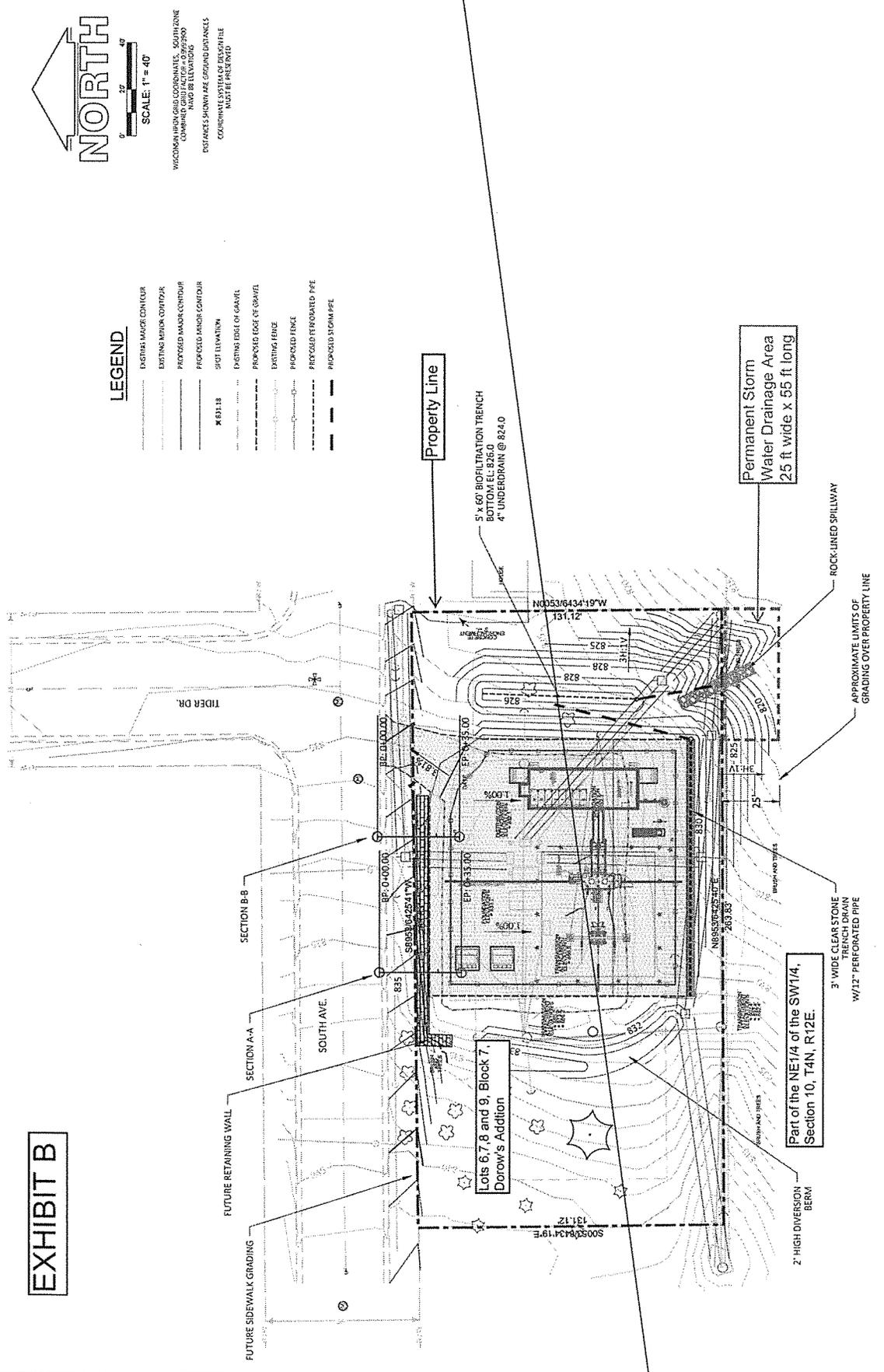
Permanent Easement Area:

An easement measuring twenty five (25) feet wide (N/S) by fifty-five (55) feet long (E/W), more particularly described as follows:

Commencing at the Southeast corner of said Lot 9, Block 7, Dorow's Addition to the City of Edgerton;
thence S89°25'40"W, 55.00 feet;
thence S00°34'19"E, 25 feet;
thence N89°25'40"E, 55.00 feet;
thence N00°34'19"W, 25.00 feet to the point of beginning.

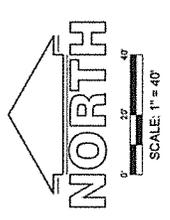
Being part of said Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section 10, Township 4 North, Range 12 East, City of Edgerton, Rock County, Wisconsin.

EXHIBIT B



LEGEND

- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- SLOPE ELIMINATION
- EXISTING EDGE OF GRAVEL
- PROPOSED EDGE OF GRAVEL
- EXISTING FENCE
- PROPOSED FENCE
- PROPOSED PERFORATED PIPE
- PROPOSED STORM PIPE



WISCONSIN GRID COORDINATES, SOUTH ZONE
 COMBINED WITH 2500
 FOOT BY ELEVATIONS
 DISTANCES SHOWN ARE GROUND DISTANCES
 COORDINATE SYSTEMS OF THIS FILE
 MUST BE PRESERVED