

**NOVEMBER 18, 2019 COMMON COUNCIL MEETING MINUTES
CITY OF EDGERTON**

Mayor Christopher Lund called the meeting to order at 7:08 p.m.

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

Excused: Debbie Olson

Others Present: City Administrator Ramona Flanigan, City Clerk/Treasurer Cindy Heggland, Utility Director Randy Oren, Police Chief Bob Kowalski, Library Director Kirsten Almo, City Attorney Bill Morgan, Howard and Karen Moser, Kevin Gehrke, the Edgerton Reporter and citizens.

Heggland confirmed the meeting agendas were properly posted on Friday, November 15, 2019 at the Post Office, Edgerton Library and City Hall.

ACCEPT THE AGENDA: A Candy Davis/Sarah Braun motion to accept the agenda as posted passed, all voted in favor.

PUBLIC HEARING: The Council held a public hearing to hear comments regarding the 2020 proposed budget document.

Bill Osmulski, 21 Garfield St inquired about the capital project budget in regards to the amount of capital expenditures and projected revenues. Heggland and Flanigan explained the borrowing was in 2019. Flanigan stated some of the projects for the borrowing have already been completed and some of the projects will completed in 2020 and 2021. Flanigan stated the city typically borrows on a 4 year cycle and those funds are used for projects over a 4 year span.

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

A Candy Davis/Sarah Braun motion to adopt City of Edgerton Resolution 23-19: Adopt the 2020 Annual Budget and Establish the 2019 Property Tax Levy for the City of Edgerton passed on a 5/0 roll call vote.

MINUTES: A Sarah Braun/David Esau motion to approve the minutes from the November 4, 2019 Common Council meeting passed, all voted in favor.

COMMITTEE REPORTS:

Finance Committee: A Candy Davis/David Esau motion to approve change order #1 from Robinson Brothers Environmental, Inc for the demolition project at 407 N Main St for an increase of \$624.73 passed on a 5/0 roll call vote,

A Candy Davis/David Esau motion to approve pay request #1 from Robinson Brothers Environmental, Inc for the demolition project at 407 N Main St in the amount of \$135,024.73 passed on a 5/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve the bills and payroll list in the amount of \$395,757.07 passed on a 5/0 roll call vote.

A Candy Davis/Jim Burdick motion to approve the public event packet for the Home for the Holidays Celebration and waive the fees passed on a 5/0 roll call vote.

Sarah Braun owns a creative marketing business and is expanding into event planning. She would like to lease the space at the Depot for this expansion and has partnered with Luke Tadder to create a business that will offer a venue for small gatherings or private events. She would also use this space to operate her marketing business.

A Candy Davis/David Esau motion to approve the Chamber of Commerce sublease of the Depot to Edge Events by Sustain Edge Marketing LLC and include the definition of security deposit use in the lease passed on a 4/0/1 vote. Sarah Braun abstained.

A Candy Davis/David Esau motion to approve the quote from Halverson Carpet Center in the amount of \$3,580 for the carpet and floor repairs at the library passed on a 5/0 roll call vote.

A Candy Davis/David Esau motion to approve the purchase of an Ariens snowblower in 2019 from Burns Full Service for the DPW in the amount of \$606 passed on a 5/0 roll call vote.

A Candy Davis/David Esau motion to approve a disallowance of claim for Koby Wellnitz passed on a 5/0 roll call vote.

Personnel Committee: A Candy Davis/Jim Burdick motion to approve the appointment of Howard Moser as the Municipal Services Director with an annual salary of \$77,500 passed on a 5/0 roll call vote.

RESOLUTION 24-19: Flanigan stated the Safe Drinking Water loan is offered through the State of Wisconsin. The loan is for the water tower painting. The \$234,605 borrowing is a revenue bond issue and has a subsidized rate of 1.65%. The loan is repaid through utility user fees. 2020 utility rates did not increase.

A Candy Davis/Jim Burdick motion to adopt City of Edgerton Resolution 24-19: Resolution Authorizing the Issuance and Sale of up to \$234,605 Water System Revenue Bonds, Series 2019, and Providing for Other Details and Covenants with Respect Thereto passed on a 5/0 roll call vote.

SAFE DRINKING WATER PROGRAM: A Sarah Braun/David Esau motion to approve the Financial Assistance Agreement for the Safe Drinking Water Loan Program passed on a 5/0 roll call vote.

ORDINANCE 19-09: Anne Radtke suggested amending section 3(a) of the proposed ordinance regarding prohibition of tobacco products. She feels the prohibited areas should include: all City-owned property not just occupied buildings; all city parks not just 25 feet of the pool and baseball fields; and the entire school grounds not just the entrance.

Attorney Bill Morgan stated the school district should be the one to regulate tobacco use on the property owned by the school. The City can regulate only the property owned by the city. To regulate tobacco on an entire parcel, such as the parks, there would need to be scientific proof. It would need to be proven that the use of tobacco affects others in open spaces.

Billie Fisher, Director of Southwest Alliance for Tobacco Prevention offered her services as a resource for passing this ordinance. She stated there are many communities that are passing the tobacco free parks ordinance.

Megan Ferrell, Healthy Edgerton, stated the Racetrack Park issue came up at their meeting. Some parents were concerned about the smoking in the stands at baseball games. She is not opposed to prohibiting smoking in the entire park however she had concerns about how the police would be able to enforce the ordinance.

Chief Kowalski stated with limited staff, it would be hard to be everywhere at once. It will be up to the individual to follow the ordinance but the ordinance would give law enforcement the tool to enforce it if they see it happening.

Attorney Bill Morgan will look at the wording on the ordinance regarding baseball fields, he suggested changing it to say seating areas or athletic fields.

Megan Ferrell also suggested Attorney Morgan look into the “Exceptions” section to make sure it is following the State Statutes. The ordinance can be amended prior to the second reading and adoption.

An Anne Radtke/David Esau motion to approve the first reading of City of Edgerton Ordinance 19-09: To Amend Section 18.105 “Prohibiting the Use of Tobacco Products” passed on a 5/0 roll call vote.

ORDINANCE 19-10: Chief Kowalski stated that the Police Department is working with the School District which already has a bullying policy in place. This ordinance mirrors that policy.

Jim Burdick inquired about the penalty for each violation. The amounts were contradicting each other. Attorney Morgan stated this language should be changed.

An Anne Radtke/Jim Burdick motion to amend the penalty to be \$10-\$500 with each day being a separate violation passed on a 5/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve the first reading of City of Edgerton Ordinance 19-10: To Create Section 16.47 “Bullying” as amended passed on a 5/0 roll call vote.

CLOSED SESSION: Candy Davis/Jim Burdick moved to go into closed session pursuant to Wisconsin Statute 19.85(1)(c): Considering Employment, Promotion Compensation or Performance Evaluation Data of any Public Employee over which the governmental Body has Jurisdiction or Exercises Responsibility”. Discuss and consider WPPA Union Contract passed on a 5/0 roll call vote.

A Jim Burdick/Candy Davis motion to return to open session passed on a 5/0 roll call vote.

An Anne Radtke/Jim Burdick motion to approve the WPPA contract passed on a 5/0 roll call vote.

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

Cindy Hegglund/wl
City Clerk-Treasurer
Adopted December 2, 2019