

**CITY OF EDGERTON
REGULAR COMMON COUNCIL MEETING
EDGERTON CITY HALL
12 ALBION STREET**

Wednesday, July 5, 2023 at 5:00 p.m.

NOTICE: The meeting noticed above will also be live streamed on a Zoom platform: To view the meeting, please select the link to the meeting listed on the **calendar events** on the City website's home page at www.cityofedgerton.com. Due to occasional technical difficulties, citizen participation via Zoom may not be possible.

1. Call to order; Roll call
2. Pledge of Allegiance.
3. Confirmation of appropriate meeting notice posted on Friday, June 30, 2023.
4. Council acceptance of agenda.
5. Personal appearances for non-agenda items limited to 3 minutes.
6. Minutes:
 - A. Consider approval of minutes from June 19, 2023 Council meeting.
 - B. Consider approval of minutes from June 26, 2023 Special Council meeting.
7. Committee Reports:
 - A. Finance Committee:
 1. Consider pay request #5 for BKS Construction for the Henry Street, Street and Utility Improvement Project.
 2. Consider approval of bills and payroll vouchers.
 3. Consider Sandwich Board Sign permits.
 - a. Henry Street Social
 - b. Campbell Boys
 4. Consider Private Property on Public Sidewalk permits.
 - a. Henry Street Social
 - b. Campbell Boys
 5. Consider change of agent for Kwik Trip #675.
 6. Consider obtaining cleaning quotes for City Hall.
 7. Consider declaring body cameras and tire rims surplus.
 - B. Plan Commission:
 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
 2. Introduce and approve first reading of City of Edgerton Ordinance 23-11: Ordinance to Amend Section 22.304(5)(d) Detached Private Garage, Carport or Utility Storage Shed of Chapter 22 to Modify Regulations Regarding Sewer Service to Accessory Structures.

3. Introduce and approve first reading of City of Edgerton Ordinance 23-13: Amend Section 22.210 Official Zoning Map for 1009 N Main St.
- C. Public Works:
 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
- D. Personnel Committee:
 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
 2. Consider personnel policy amendments related to comp time, certification pay, and PTO payouts.
- E. Redevelopment Authority:
 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
 2. Consider façade grant increase for 21 Henry St – Edgerton Reporter.
 3. Consider ED Fund Grant for 110 Henry St for electrical.
- F. Parks and Recreation Committee:
 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
- G. Fire District:
 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
8. Consider City of Edgerton Resolution 19-23: Resolution Joining the Wisconsin Government Climate Coalition (WLGCC).
9. Introduce and approve first reading of City of Edgerton Ordinance 23-10: Ordinance Adopting a Revision and Codification of the Ordinances of the City of Edgerton.
10. Approve appointment of Jeff Roethe as Municipal Court Judge.
11. Consider construction extension for Graceful LLC for Marshview Court lot.
12. Mayor, alderperson and staff reports.
13. Closed 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 public utility extension and land purchase.
14. Return to open session and consider taking action on items discussed in closed session.
15. 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.

**JUNE 19, 2023 COMMON COUNCIL MEETING MINUTES
CITY OF EDGERTON**

Mayor Christopher Lund called the meeting to order at 7:07 p.m.

Present: Shawn Prebil, Casey Langan, Candy Davis, Paul Davis, Tim Shaw and Jim Burdick.

Others Present: City Administrator Ramona Flanigan, City Clerk Wendy Loveland, Municipal Services Director Howard Moser, Library Director Beth Krebs-Smith, Police Chief Robert Kowalski, City Attorney Bill Morgan Edgerton Tobacco Days Representatives, Stephanie and John Walczak, Kathleen Hessian and a few citizens.

Loveland confirmed the meeting agendas were properly posted on Friday, June 16, 2023 at the Post Office, Edgerton Library, City website, and City Hall.

ACCEPT THE AGENDA: A Candy Davis/Casey Langan motion to approve the agenda as posted passed, all voted in favor.

MINUTES: A Casey Langan/Jim Budick motion to approve the June 5, 2023 Council meeting minutes passed, all voted in favor.

COMMITTEES:

Finance Committee: A Tim Shaw/Candy Davis motion to approve the bills and payroll in the amount of \$339,057.87 passed on a 6/0 roll call vote.

Tim Shaw/Candy Davis moved to approve Tobacco License renewals for the following:

- a. Burns Full Service
- b. Kwik Trip Inc, dba Kwik Trip #675
- c. Kwik Trip Inc, dba Stop N Go #1500
- d. Casey's Marketing Company, dba Casey's General Store
- e. Day's Family Foods, dba Piggly Wiggly
- f. 424 Game Day Liquor, dba Game Day Liquor
- g. Family Dollar #23086
- h. Sukheja Enterprises LLC, dba A2Z Mini Mart

The motion passed on a 6/0 roll call vote.

A Tim Shaw/ Candy Davis moved to approve the Edgerton Tobacco Heritage Days event packet with the following conditions:

- Park can remain open until midnight on Friday and Saturday
- Waive all fees
- No alcohol ticket sales after 11:30 pm
- Event pay ½ Police OT costs

The motion passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to approve a Temporary Class "B" Beer/Wine License for the Edgerton Tobacco Heritage Days Celebration passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to approve the purchase of body cams and server for the PD from Safe Fleet using funds from the police budget passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to approve the reimbursement for a Temporary Class "B" Beer license for the Edgerton Night Market in the amount of \$10 passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to approve a "Class B" Combination Liquor/Beer License to Henry Street Enterprises, LLC at 110 Henry St passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to adopt City of Edgerton Resolution 15-23: Resolution Declaring Official Intent to Reimburse Expenditures for the 2024 Private and Public Lead Lateral Replacement Project passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to adopt City of Edgerton Resolution 16-23: Authorized Representative to File Application for Financial Assistance for the 2022 Lead Lateral Replacement Program from the State of Wisconsin Environmental Improvement Fund passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to adopt City of Edgerton Resolution 17-23: Resolution Declaring Official Intent to Reimburse Expenditures for the Albion Street Water Infrastructure Replacement Project passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to adopt City of Edgerton Resolution 18-23: Authorized Representative to File Applications for Financial Assistance for the 2024 Public & Private Lead Lateral Replacement Programs from the State of Wisconsin Environmental Improvement Fund passed on a 6/0 roll call vote.

Utility Commission: A Shawn Prebil/Paul Davis motion to adopt City of Edgerton Resolution 14-23: Adopting the 2022 Compliance Maintenance Annual Report passed on a 6/0 roll call vote.

RESOLUTION 13-23: A Jim Burdick/Candy Davis motion to adopt City of Edgerton Resolution 13-23: Resolution Providing for the Publication, Filing, Inspection and Adoption of a Code of General Ordinances passed on a 6/0 roll call vote.

EXTENSION FOR GRACEFUL LLC FOR MARSHVIEW COURT LOT: The owner of Graceful LLC was unable to attend the Council meeting. He submitted a letter requesting a further 60-day extension to begin construction of a structure on Marshview Court.

A Jim Burdick/Tim Shaw motion to postpone the decision, on an extension for Graceful LLC, until the July 5th meeting passed on 5/1 roll call vote. Casey Langan voted against the motion.

Being no other business before the Council, a Casey Langan/Shawn Prebil motion to adjourn passed on a 6/0 roll call vote.

Wendy Loveland
City Clerk
Adopted July 5, 2023

**JUNE 26, 2023 SPECIAL COMMON COUNCIL MEETING MINUTES
CITY OF EDGERTON**

Mayor Christopher Lund called the meeting to order at 6:15 p.m.

Present: Shawn Prebil, Casey Langan, Candy Davis, Paul Davis, Tim Shaw and Jim Burdick.

Others Present: City Administrator Ramona Flanigan,

Flanigan confirmed the meeting agendas were properly posted on Friday, June 23, 2023 at the Post Office, Edgerton Library, City website, and City Hall.

Flanigan stated, the agenda items being discussed are to put the water utility in a good financial position by filing an application for low interest loans. Originally staff thought the Quigley Street project would be ineligible for these loans. Staff has since learned that Quigley Street is eligible and the water utility would benefit from applying. The contracts and resolutions being discussed are a requirement of the application.

CONSIDER CONTRACT FOR ENGINEERING SERVICES FOR THE QUIGLEY STREET, STREET AND UTILITY IMPROVEMENT PROJECT: A Tim Shaw/Jim Burdick motion to approve the Cedar Corporation contract for engineering fees for the Quigley Street, Street and Utility Improvement Project passed on a 6/0 roll call vote.

CONSIDER CONTRACT FOR ENGINEERING SERVICES FOR THE 2024 PUBLIC AND PRIVATE LEAD LATERAL REPLACEMENT PROJECT: A Casey Langan/Tim Shaw motion to approve the Cedar Corporation contract for engineering fees for the 2024 Public and Private Lead Lateral Project passed on a 6/0 roll call vote.

CONSIDER RESOLUTION 20-23: A Candy Davis/Casey Langan motion to adopt City of Edgerton Resolution 20-23: Resolution Declaring Official Intent to Reimburse Expenditures for the Quigley Street, Street and Utility Improvement Project passed on a 6/0 roll call vote.

CONSIDER RESOLUTION 21-23: A Paul Davis/Jim Burdick motion adopt City of Edgerton Resolution 21-23: Authorized Representative to File Applications for Financial Assistance for the Quigley Street, Street and Utility Improvement Project from the State of Wisconsin Environmental Improvement Fund passed on a 6/0 roll call vote.

Being no other business before the Council, a Tim Shaw/Casey Langan motion to adjourn passed on a 6/0 roll call vote.

Wendy Loveland
City Clerk
Adopted June 19, 2023

Memo

To: Common Council
From: Staff
Date: 6/30/2023
Re: July 5, 2023 Meeting

Quotes for cleaning services: The library board is interested in seeking quotes for cleaning services. The city's cleaning contract includes city hall, the library and the police station. Is the finance committee interested in having the city seek cleaning quotes for all buildings?

Plan Commission

Ordinance 23-11: The proposed ordinance amendment allows toilets and exterior showers in detached garages, (not in utility sheds or carports) and removes the requirement that a garage have a garage door and a driveway if it also has sewer and water service.

Rezone 1009 N Main Street: The parcels where the pharmacy and the credit union are located were rezoned to R-4 several years ago to facilitate a proposed redevelopment of the property into a residential use. Due to a mapping error, the property was not rezoned back to commercial when that project failed to occur and when the property was redeveloped into its current use. To correct the error, the city is requesting to rezone the parcels to B-3 Large Scale Commercial similar to surrounding commercial parcels.

Personnel Policy Amendments

Compensatory time bank: Currently the policy allows employees to "bank" overtime hours to be used for additional time off. The proposed change to the policy would allow part-time employees to bank hours worked in excess of their regular scheduled hours.

Payout of PTO upon termination: The current policy states that PTO paid out upon termination does not include accrued PTO received upon issuance of the final paycheck. This however depends on the timing of termination since PTO is accrued daily. The proposed change to the policy clarifies that all PTO earned through the employees last day is paid out.

Tenure Advancement for lead management: The current policy uses a merit-based system for department heads (Municipal Services Director, Administrator, Chief of Police) and lead management staff (Clerk and Treasurer). The proposed change would have lead management receive certification pay instead of merit pay. Certification pay is based on approved certifications, licenses, or specialized training. Certification pay would be more applicable to lead management staff.

RDA

110 Henry St: The owner of 110 Henry Street is seeking a new ED Fund grant to install electrical throughout the first floor. This project does not address a specific code deficiency but is the build-out of the space. The one bid for the work is \$12,442.51. The maximum grant amount would be \$3,000. Please note that, if the grant were approved, the funding source for this project would be from the limited ED Fund from which applicants can only receive one grant per year.

21 Henry St: The owner of 21 Henry Street (Edgerton Reporter) received a grant to add air conditioning. The original bid of \$9,289 from March of 2022 has now increased to \$12,760. The applicant would have been eligible for up to a \$6,000 ED fund grant at the time of approval and is seeking an increase in the grant award from \$4,644 to \$6,000.

WLGCC Resolution 19-23: Staff is recommending the city join other Wisconsin municipalities in a climate coalition by passing the attached resolution. There is no cost to join and the city will have access to expertise from experts in other municipalities and Coalition staff when developing climate/energy related policies and practices.

Recodification: The Council will hold the first reading of the updated code book. A few of the structural changes made to the code book as part of the recodification process are: the removal of all fees from the ordinance into a fee schedule adopted separately by the council; and the revision of fines and penalties. Penalty revisions are based on advice from the Chief Kowalski and the Municipal Judge. You will receive a draft copy of the fee schedule as well as the Bond (penalty) Schedule for your review. Both of these documents will be considered for adoption by resolution at the next council meeting after the second reading and adoption of the new code. If you have questions on any of these documents, please contact staff.

Appointment of Interim Municipal Judge: Municipal Judge Dale Pope has submitted his resignation effective September 1, 2023. To fill the position until the spring election, the majority of the three municipalities that are part of the joint municipal court have to agree on a replacement. The city placed an ad requesting letters of interest and received one from Attorney Jeff Roethe. The Towns of Albion and Fulton have agreed to the appointment of Mr. Roethe. The City Council must also act on the appointment. Voters of the three municipalities will vote to fill the remaining two years of the four-year current municipal judge term in April.

Graceful LLC Construction extension: Please recall Graceful LLC, purchaser of a lot from the city on Marshview Court, received a six-month extension of the construction requirement deadline from the Council. The Council's motion for the extension required that construction commence by July 14, 2023. Graceful cannot meet the deadline and is requesting a further extension.

**CITY OF EDGERTON
ORDINANCE No. 23-11**

AN ORDINANCE TO AMEND SECTION 22.304(5)(d) DETACHED PRIVATE GARAGE, CARPORT OR UTILITY STORAGE SHED OF CHAPTER 22 “ZONING ORDINANCES” TO MODIFY REGULATIONS REGARDING SEWER SERVICE TO ACCESSORY STRUCTURES, IN THE CODE OF ZONING ORDINANCES, CITY OF EDGERTON ROCK AND DANE COUNTIES, WISCONSIN

Alderperson introduced the following Ordinance and moved its adoption:

THE COMMON COUNCIL OF THE CITY OF EDGERTON, ROCK AND DANE COUNTIES, WISCONSIN, DO ORDAIN AS FOLLOWS:

Chapter 22 section 22.304(5)(d) shall be amended as follows:

(d) Detached Private Garage, Carport, or Utility/Storage Shed.

Description: A detached private garage or carport is a structure that primarily accommodates the sheltered parking of a passenger vehicle. A utility/storage shed is an accessory structure that accommodates the storage of residential maintenance equipment and shall not be used to store cars, trucks or related non-recreational vehicles. A playhouse is an accessory structure that is intended for use as a small recreational structure. A gazebo is an accessory structure intended for use as a temporary shelter. These structures must be located so as to be accessory to a principal land use on the same or adjacent lot. If located on an adjacent lot, the owner must record a deed restriction prohibiting the sale of the two parcels separately. A polystructure is not: a garage; a carport if it is attached to another structure; a utility shed; a playhouse; or a gazebo.

Sewer and water service may be installed to serve a Detached Private Garage, ~~Carport or Utility/Storage Shed~~ under the following conditions: there is no the structure a toilet or shower installed, except for an exterior shower in conjunction with a swimming pool; the structure must have a garage door and a driveway; and the petitioner must file a deed restriction stating that the garage cannot be used as either living quarters or in the operation a business unless local land use permits are obtained and all building, local, and state codes are met. The deed restriction must be filed before a building permit is issued.

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

Seconded by Alderperson:

Roll Call: Ayes: Noes:

Christopher Lund, Mayor

Public Hearing Date: June 21, 2023

1st Reading: July 5, 2023

2nd Reading:

Adopted:

Published:

Dated:

Wendy Loveland, City Clerk

STATE OF WISCONSIN)

COUNTY OF ROCK)ss.

COUNTY OF ROCK)

I, Wendy Loveland, City Clerk, 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 day of 2023.

Wendy Loveland, City Clerk

**CITY OF EDGERTON
ORDINANCE No. 23-13**

**AN ORDINANCE TO AMEND SECTION 22.210 “OFFICIAL ZONING MAP” OF
THE EDGERTON CODE OF ZONING ORDINANCES, CITY OF EDGERTON
ROCK AND DANE COUNTIES, WISCONSIN FOR 1009 N MAIN STREET**

Aldersperson introduced the following Ordinance and moved its adoption:

WHEREAS the Plan Commission has held a public hearing, reviewed the zoning changes and recommends the Common Council approve the changes, and

WHEREAS the Common Council has reviewed the recommendation and concluded that the zoning change supports the following finding of fact:

The potential public benefits of the proposed rezoning outweigh any and all potential adverse impacts of the proposed rezoning.

WHEREAS the Common Council has the final authority to approve all zoning changes,

NOW THEREFORE BE IT RESOLVED, the Common Council of the City of Edgerton, Rock and Dane Counties, Wisconsin, do ordain as follows:

SECTION 22.210 “Official Zoning Map” shall be amended for the approval of a zoning change from R-4 Residential District Four to B-3 Large Scale Commercial District parcels at 1009 N Main Street (6-26-955.2D2 and 6-26-955.2C).

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

Seconded by Aldersperson:

Roll Call: Ayes: Noes:

Public Hearing: June 21, 2023

1st Reading: July 5, 2023

2nd Reading:

Adoption:

Published:

Dated:

Christopher W. Lund, Mayor

Wendy Loveland, City Clerk

Amendment to Compensatory time policy to allow non-exempt part-time employees the availability to “bank” hours in excess of regular scheduled hours.

5.2.1 Compensatory time

Non-exempt employees may elect to “bank” overtime hours worked in excess of regular scheduled hours earned in any week to a compensatory time bank to be used as additional time off. An employee may carry up to a maximum of forty (40) hours of compensatory time in the compensatory bank. Any compensatory time over forty (40) hours will be paid out. Compensatory banks are refillable.

Compensatory time taken as time off or that which is paid out shall be equal to the hours worked to accumulate the compensatory time. Compensatory time shall be paid at an employee's overtime the pay rate applicable to the time it was earned. All accumulated compensatory time will be paid out on the first pay period of the new year to prevent carryover compensatory time from one budget year to the next.

Policy regarding PTO balance payout upon termination. Amendment to clarify what hours are eligible for payout.

3. Compensation and Leave Payouts

- Employees resigning from employment with the City are entitled to all pay due for actual hours worked, plus either:
 - the accrued vacation time balance from the previous years' service, or
 - accrued PTO earned through the last day of employment. not including accrued PTO received upon issuance of the final paycheck.

Employees resigning from employment are not entitled to unused personal leave.

- Employees who are eligible to receive retirement from the Wisconsin Department of Employee Trust Funds or the estate of a deceased employee are entitled to pro-rata vacation payout for the current year. Pro-rata vacation time is computed at the rate of 1/12th the employee's last vacation entitlement times the number of months worked since their last vacation entitlement date.
- Employees terminating voluntarily shall not be allowed to use or be paid for used sick leave or PTO during the last week of employment without a written and signed doctor's excuse.
- Employees who terminating voluntarily who are not eligible for an annuity from the Wisconsin Department of Employee Trust Funds shall forfeit unused accumulated sick leave or PTO Leave of Absence Bank (section 5.8.1) balances.
- Employees who are eligible to receive an annuity from the Wisconsin Department of Employee Trust Funds may convert his/her accumulated sick leave or PTO Leave of Absence Bank balance into paid-up health insurance equal to 65% of the value of the balance accumulated or receive a cash payout equal to 50% of the value of balance accumulated.

The value is determined by multiplying the total hours of sick leave or PTO Leave of Absence Bank accumulated times his/her hourly rate at the time of retirement.

For balance that is converted to paid-up health insurance, the City will pay the health insurance until the accumulated value is depleted. Upon death of a retiree, the unused accumulated value may be applied to health insurance premiums through the Wisconsin Department of Employee Trust Funds for the spouse and/or qualifying dependent children until the accumulated value is used or a maximum of three (3) years, whichever occurs first.

For a balance that is paid out, the payout will be made with the last paycheck the employee receives.

Once a retiree elects and begins receiving paid health insurance premiums, he/she is not allowed to change any remaining balance to a cash payout.

- Unused accumulated sick leave balances shall be handled in accordance with union contract for represented employees.

Policy regarding tenure advancement. Amendment to include lead management with non-exempt employees to receive certification pay instead of merit pay.

6.4 Salary and Classification Plan

Pay Plan

All non-represented employees are compensated in accordance with the City's current Salary Resolution. The Salary Resolution is maintained by the City Administrator and updated annually upon recommendation of the Committee and approval by the Council.

Annual Increases

1. **Across the Board:** The City reviews salaries of non-represented employees on an annual basis. The City Council shall determine the across the board annual increase for non-represented employees and communicate this to the City Administrator prior to commencing the annual increase process. In determining the across the board increase the Council shall consider among other factors, the cost of living, the increases given to represented employees and the financial position of the City.
2. **Wage Ranges:** The Committee will establish appropriate pay ranges for each position considering the employee's job responsibilities by reviewing compensation packages of the following: employees in similar communities having like job responsibilities and other non-exempt employees within the City. Pay ranges are not based on individual performance and longevity.

The City reserves the right to place newly hired employees within the wage range based on previous experience.

3. **Tenure Advancement;** The City may offer tenure based wage increases subject to an acceptable performance evaluation by the employee's supervisor and the financial position of the City.

Tenure increases for non-represented, non-exempt *and lead management* employees will be as follows:

- Annual step increases for the first 10 years of service to attain 25% of the adopted pay range at the 10th year of service. For this section, years of service is based on the earlier of either 2080 hours worked or every two years.
- Step increases at 15, 20 and 25 years so that the employee attains 80% of the approved wage range at 25 years of service.
- Certification Pay for approved certifications, licenses, or specialize training equaling up to 20% of the pay range. Certifications must be maintained to remain eligible for certification pay. To be eligible for Certification Pay, all courses must have prior approval from a Supervisor.

Tenure Increases for department heads ~~and lead management staff~~ will be as follows:

- Annual step increases will be provided for the first 10 years of service to attain 25% of the adopted pay range at the 10th year of service. For this section, years of service is based on the earlier of either 2080 hours worked or every two years.
 - Step increases at 15, 20 and 25 years so that the employee attains 80% of the approved wage range at 25 years of service.
 - Merit pay equaling up to 20% of the pay range. Merit pay will be based on the employee performance rating from the employee performance evaluation procedure (see Section 4.7). Based on this information, the Committee will determine the appropriate wage for the individual.
4. Working supervisors in the Police Department will be given salary increases in accordance with the approved salary resolution.
 5. Current employees promoted to a higher-level position shall be considered a new employee regarding the tenure (step) calculation, unless the Committee decides to consider all or a portion of the employee's previous, relevant experience in a lower-level position.

**CITY OF EDGERTON
RESOLUTION No. 19-23**

**A RESOLUTION JOINING THE WISCONSIN LOCAL GOVERNMENT CLIMATE
COALITION (WLGCC)**

Whereas, the City of Edgerton has cause for concern regarding the negative impacts of climate change on greater society and within the local community insofar as climate change increases the risk of flooding, extreme weather, public infrastructure damage, and economic loss; and

Whereas, Addressing and mitigating the major contributing factors, such as the burning of fossil fuels, is imperative to slow climate change and protect the public welfare; and

Whereas, the City passed Resolution 19-09 Supporting the Wisconsin Energy Independent Community Partnership which established a goal of generating 25% of the City's electricity and transportation fuels from renewable resources by 2025; and

Whereas, the State of Wisconsin has a goal of 100% carbon-free electricity by 2050, and local governments are important actors to help implement the State's goal and Clean Energy Plan; and

Whereas, the Wisconsin Local Government Climate Coalition (WLGCC) is comprised of local governments that work together to seek low-carbon and clean energy solutions, and members recognize that climate change poses severe risks to communities and that the worst effects of climate change cannot be avoided without effective State policy; and

Whereas, WLGCC supports the following:

1. Increased State and Federal funding for energy efficiency, renewable energy, electrification of transportation and buildings, and advanced technology and research development solutions.
2. State policies and laws that enable local governments and others to implement such actions to grow the clean energy workforce.
3. A State plan to retire coal plants no later than 2040.
4. Choices and universal access to clean energy to reduce cost and participation barriers.
5. Smart growth development policies and funding to reduce vehicle miles traveled and to preserve natural resources, including agricultural, forestry, and recreational lands; and

Whereas, there is no cost to becoming a WLGCC member; and

Whereas, the City of Edgerton shares the goals of the WLGCC;

Now, Therefore, be it Resolved, the Common Council of the City of Edgerton officially joins the Wisconsin Local Government Climate Coalition and will contribute to sustaining

its advocacy efforts through filing joint public comments that relate to the City of Edgerton greenhouse gas reduction goals; and,

Be it Further Resolved, that the Mayor is authorized to comment or intervene on behalf of the City of Edgerton in contested rate cases, dockets, investigations, and other proceedings before the Wisconsin Public Service Commission that relate to the City of Edgerton carbon reduction goals.

Passed on this 5th day of July 2023

Motion by:

Seconded by:

Roll Call Yeas: Noes:

Dated: July 5, 2023

Christopher W Lund, Mayor

Wendy Loveland, City Clerk

CITY OF EDGERTON
ORD. NO. 23-10
AN ORDINANCE ADOPTING A REVISION AND CODIFICATION OF THE ORDINANCES OF THE
CITY OF EDGERTON, WISCONSIN

Aldersperson introduced the following Ordinance and moved it adoption:

The City Council of the City of Edgerton does hereby ordain as follows:

§ 1-8. Code adopted; existing ordinances continued.

Pursuant to § 66.0103, Wis. Stats., the ordinances of the City of Edgerton of a general and permanent nature adopted by the City Council of the City of Edgerton, as revised and codified and consisting of Chapters 1 through 450, are hereby approved, adopted, ordained and enacted as the Code of the City of Edgerton, hereinafter referred to as the "Code." The provisions of the Code, insofar as they are substantively the same as those of the ordinances in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments. This ordinance and the Code adopted hereby shall supersede and replace the 1993 Code of Ordinances, as amended and supplemented.

§ 1-9. Code on file; additions and amendments.

- A. In accordance with § 66.0103, Wis. Stats., a copy of the Code has been filed in the office of the City Clerk and made available for public inspection for not less than two weeks prior to adoption of this ordinance, and following adoption of this ordinance such copy shall be maintained and available for public inspection in the office of the City Clerk.
- B. Additions or amendments to the Code, when adopted in such form as to indicate the intent of the City Council to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the City of Edgerton" shall be understood and intended to include such additions and amendments.

§ 1-10. Notice; publication.

The Clerk of the City of Edgerton shall cause notice of the passage of this ordinance to be given in the manner required by law. The notice of passage of this ordinance coupled with the filing of the Code in the office of the City Clerk as provided in § 1-9 shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-11. Severability.

Each section of this ordinance and of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof. If any provision of this Code or the application thereof to any person or circumstances is held invalid, the remainder of this Code and the application of such provision to other persons or circumstances shall not be affected thereby.

§ 1-12. Repealer.

- A. Ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the City of Edgerton which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.
- B. The following have been excluded from the Code and are specifically repealed:
 - (1) Chapter 25, Edgerton Cable Television Franchise, of the 1993 Code of Ordinances.
 - (2) Section 18.25, Spitting on sidewalks and walls, of the 1993 Code of Ordinances.
 - (3) Section 19.01, Amusements, of the 1993 Code of Ordinances.
 - (4) Sections 19.03, 19.07 and 19.08, Bowling Alleys, Billiard and Pool Halls; Shuffleboard Tables; Roller Skating Rinks; Theaters, of the 1993 Code of Ordinances.
 - (5) Section 19.04, Dance and Dance Halls, of the 1993 Code of Ordinances.
 - (6) Section 19.14, Private Commercial Parking Lots, of the 1993 Code of Ordinances.
 - (7) Section 19.15, Trap shoots license, of the 1993 Code of Ordinances.

§ 1-13. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-12 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to February 6, 2023.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance brought pursuant to any legislative provision.
- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, naming, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- G. Any ordinance appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the City's indebtedness.

- H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract or obligation.
- I. The levy or imposition of taxes, assessments or charges.
- J. The annexation or dedication of property or approval of preliminary or final subdivision plats.
- K. Ordinances providing for local improvements or assessing taxes or special assessments therefor.
- L. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- M. Any legislation relating to or establishing a pension plan or pension fund for municipal employees.
- N. Any ordinances adopting or amending the Zoning Map or otherwise rezoning property.
- O. Any charter ordinances.
- P. Any ordinance or portion of an ordinance establishing or amending a specific fee amount for any license, permit or service obtained from the City.
- Q. Any ordinance or portion of an ordinance establishing or amending a deposit or bond schedule.
- R. Any ordinance or portion of an ordinance establishing or amending rates or charges for water or sewer service.

§ 1-14. Changes in previously adopted ordinances; new ordinances.

- A. In preparing the revision and codification of the ordinances, certain minor grammatical and nonsubstantive changes were made in one or more of said ordinances, and references to state statutes and regulations were updated to reflect the numbering and titles of the statutes and regulations as of the publication of this Code. It is the intention of the City Council that all such changes be adopted as part of the Code as if the ordinances so changed had been formally amended to read as such.
- B. In accordance with § 66.0103, Wis. Stats., the Code of the City of Edgerton, on file in the office of the City Clerk, is adopted and incorporated by reference, including the revisions set forth in Schedule A attached hereto and made a part hereof. (Chapter and section number references in Schedule A are to the ordinances as they have been renumbered and appear in the Code.)

§ 1-15. Titles and headings; editor's notes.

- A. Chapter and article titles, headings and titles of sections and other divisions of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.
- B. Editor's notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

§ 1-16. Altering or tampering with Code; violations and penalties.

It shall be unlawful for anyone to change, alter or tamper with the Code in any manner which will cause the laws of the City of Edgerton to be misrepresented thereby. Anyone violating this section shall be subject, upon conviction, to a penalty as provided in § 1-6 of the Code.

§ 1-17. When effective.

This ordinance shall take effect upon final passage and publication or posting as provided by law.

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

Seconded by Alderperson:

Roll Call: Ayes: Noes:

1st Reading: July 5, 2023

2nd Reading:

Adopted:

Published:

Dated:

Christopher W. Lund, Mayor

Wendy Loveland, City Clerk

STATE OF WISCONSIN)
)SS.
COUNTY OF ROCK)

I, Wendy Loveland, City Clerk, 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 day of , 2023.

Wendy Loveland, City Clerk