

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

Monday, December 4, 2023 at 7:00 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, December 1, 2023.
4. Council acceptance of agenda.
5. Personal appearances for non-agenda items limited to 3 minutes.
6. Minutes:
 - A. Consider approval of minutes of November 20, 2023 Council meeting.
7. Committee Reports:
 - A. Finance Committee:
 1. Consider pay request #7 for BKS Construction for the Henry St, Street and Utility Improvement Project.
 2. Consider approval of bills and payroll voucher.
 3. Consider new Class "B" Beer license for Foundation Athletics, Agent James Fox.
 - B. Fire District:
 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
 - C. Plan Commission:
 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
8. Mayor, alderperson and staff reports.
9. Closed Session pursuant to Wis. Stat. 19.85(1)(c) "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 land sale.
10. Return to open session and consider taking action on items discussed in closed session.

11. 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.

**NOVEMBER 20, 2023 COMMON COUNCIL MEETING MINUTES
CITY OF EDGERTON**

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

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

Others Present: City Administrator Ramona Flanigan, City Clerk Wendy Loveland, Municipal Services Director Howard Moser, City Treasurer Maddie Deegan, Library Director Beth Krebs-Smith, Police Chief Bob Kowalski, and many citizens.

Loveland confirmed the meeting agendas were properly posted on Friday, November 17, 2023 at the Post Office, Edgerton Library, City website, and City Hall. [Loveland clarified later in the meeting; the agendas were posted to the website on November 19, 2023]

ACCEPT THE AGENDA: A Candy Davis/Jim Burdick motion to approve the agenda moving item #10 after item #8 passed, all voted in favor.

PUBLIC HEARING: The Council held a public hearing to hear comments regarding the 2024 Proposed Budget Document.

Hearing no comments, the Mayor closed the public hearing.

RESOLUTION 29-23: A Jim Burdick/Tim Shaw motion to adopt City of Edgerton Resolution 29-23: Adopt the 2024 Annual Budget and Establish the 2023 Property Tax Levy for the City of Edgerton passed on a 6/0 roll call vote.

MINUTES: A Candy Davis/Paul Davis motion to approve the November 6, 2023 Council meeting minutes passed, all voted in favor.

CONSIDER NOON & 5:00 WHISTLE: A request to stop the operation of the noon and 5:00 whistle has been made by a handful of citizens. The whistle was temporarily turned off until the Council could consider the request. The subject of the whistle was last discussed in 2017 by the Public Works Committee. It was decided at that time to repair the whistle and continue to operate it at noon and 5:00.

The Council was presented with numerous options such as, continuing the whistle at noon and 5:00; operating the whistle only at 5:00 pm; modifying the duration the whistle blows; relocating it farther away from residential areas; only blowing the whistle for special occasions; or discontinuing the whistle.

Approximately 23 citizens registered their opinion or requested to speak. 11 citizens addressed the Council, 2 of the speakers were against continuing the use of the whistle and 9 speakers wished to keep the whistle.

Citizens registering their options about the whistle but chose not to speak indicated the following:

- 9 chose "Do not change the whistle"
- 3 chose "Operate the whistle at 5:00 only"
- 1 chose "Modify the whistle to be quieter and shorter"
- 1 chose "Relocate the whistle"
- 2 chose "Discontinue the whistle except for special occasions"
- 0 chose "Discontinue the whistle"

Moser stated an electrician was consulted and it was reported a modification could be made so the whistle blows for a shorter period of time, however there is not a solution to reduce the decibel level. Currently the whistle blows for approximately 30 seconds. A new switch could shorten that time to approximately 15 seconds

Jim Burdick/Candy Davis moved to research a new switch to shorten the length to 15 seconds.

A Jim Burdick/Candy Davis motion to amend the original motion to add purchasing and installing the relay for up to \$300 and starting the whistle immediately passed on a 6/0 roll call vote.

A Jim Burdick/Candy Davis motion to look into, purchase and install a new relay up to \$300 and start the whistle immediately passed on a 6/0 roll call vote.

COMMITTEES:

Finance Committee: A Tim Shaw/Candy Davis motion to approve the bills and payroll in the amount of \$304,257.27 passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to approve borrowing \$206,000 from the SDWF to complete the lead lateral replacements passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to approve the contract for Baker Tilly for auditing services passed on a 6/0 roll call vote.

A Tim Shaw/Shawn Prebil motion to approve the addendum to the Cedar Corp contract for environmental consulting services at 407 N Main St passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to approve the payment to Graceful LLC for the Marshview Ct property in the amount of \$1,000 passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to approve pursuing an RFP for the installation of solar equipment at 4 of the city facilities specified at a previous meeting and explore the options for the WWTP to determine if an RFP is warranted, passed on a 6/0 roll call vote.

TRICK OR TREAT HOURS: Currently the hours are 5pm-8pm. A request was made to change the trick or treat hours to 5pm-7pm.

Tim Shaw/Paul Davis moved to leave the trick or treat hours from 5pm-8pm. The motion tied on a 3/3 roll call vote. Mayor Lund broke the tie with a yes vote. The motion passed on a 4/3 vote. Shawn Prebil, Casey Langan and Candy Davis voted against the motion.

COMMITTEE APPOINTMENTS: A Candy Davis/Shawn Prebil motion to approve the Mayor's recommendation of Richard Sturm to the Housing Authority passed on a 6/0 roll call vote.

CLOSED SESSION: Candy Davis/Shawn Prebil 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 property purchase and economic incentive;
and

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 PFAS claim against DuPont and 3M. The motion passed on a 6/0 roll call vote.

A Tim Shaw/Shawn Prebil motion to go into open session passed on a 6/0 roll call vote.

A Jim Burdick/Tim Shaw motion to approve not opting out of the litigation and pursuing a claim against Dupont and 3M at the earliest time 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 December 4, 2023