

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

Monday, February 5, 2024 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, February 2, 2024.
4. Council acceptance of agenda.
5. Personal appearances for non-agenda items limited to 3 minutes.
6. Minutes:
 - A. Consider approval of minutes of January 15, 2024 Council meeting.
7. Committee Reports:
 - A. Finance Committee:
 1. Consider approval of bills and payroll vouchers.
 2. Consider City of Edgerton Resolution 03-24: Resolution Approving Budget Transfers and Amendments for the Year Ending December 31, 2023.
 3. Consider City of Edgerton Resolution 04-24: Resolution Authorizing the 2023 Property Tax Equivalent Charged to the Water Utility.
 4. Consider City of Edgerton Resolution 05-24: Resolution Approving the Assigned Fund Balance for the Year Ending December 31, 2023.
 5. Consider amendment to Building Permit fee schedule.
 6. Consider declaring chipper surplus and setting minimum bid.
 7. Consider purchase of chipper for DPW.
 8. Consider MOU with Rock County for aerial photography.
 9. Consider Impact Fee for Fire/EMS services.
 - B. Library Board:
 1. Report on discussion and action taken at previous meeting.
 - C. Fire District:
 1. Report on discussion and action taken at previous meeting.
 - D. RDA:
 1. Report on discussion and action taken at previous meeting.
 - E. Utility Commission:
 1. Report on discussion and action taken at previous meeting

8. Mayor, alderperson and staff reports.

[Plan Commission will convene and go into closed session for a Joint Plan Commission & Common Council meeting]

9. 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 Hwy 51 access.

And

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 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.

**JANUARY 15, 2024 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, Paul Davis and Jim Burdick.

Others Present: City Administrator Ramona Flanigan, City Clerk Wendy Loveland, Municipal Services Director Howard Moser, Police Chief Robert Kowalski, Aquatics Director Anne Gohlke, City Attorney Bill Morgan and a few citizens.

Loveland confirmed the meeting agendas were properly posted on Friday, January 12, 2024 at the City Hall and the City website and Saturday, January 13, 2024 at the Library.

ACCEPT THE AGENDA: A Shawn Prebil/Tim Shaw motion to approve the agenda passed, all voted in favor.

MINUTES: A Candy Davis/Jim Burdick motion to approve the January 2, 2024 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 \$1,635,946.38 passed on a 6/0 roll call vote.

A Tim Shaw/Shawn Prebil motion to approve a Temporary Class "B" Beer/Wine License for 1/25/2024 passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to approve a Temporary Class "B" Beer License for the Chamber of Commerce on 2/3/2024 passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to approve the amendment to the Upper 90 contract to include the City of Evansville passed on a 6/0 roll call vote.

A Tim Shaw/Shawn Prebil motion to approve the agreement with Vandewalle & Associates for TID #12 creation passed on a 6/0 roll call vote.

A Tim Shaw/Prebil motion to approve the funding for the funbrella shortfall using contingency funds in the amount of \$533 passed on a 6/0 roll call vote.

A Tim Shaw/Shawn Prebil motion to approve declaring the 1996 sewer pickup truck as surplus and setting the minimum bid at \$3,000 passed on a 6/0 roll call vote.

A Tim Shaw/Shawn Prebil motion to approve the purchase of pickup truck for the DPW/Utility in the amount of \$52,868 from Ewald Automotive Group passed on a 6/0 roll call vote.

A Tim Shaw/Shawn Prebil motion to approve the amendment to the Cedar Corp agreement for the 2024 Lead Lateral Replacement Program passed on a 6/0 roll call vote.

CLOSED SESSION: Casey Langan/Shawn Prebil moved to go into 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 purchase and land sale. The motion passed on a 6/0 roll call vote.

Being no other business before the Council, a Jim Burdick/Tim Shaw motion to adjourn from closed session passed, all voted in favor.

Wendy Loveland
City Clerk

Adopted February 5, 2024

Memo

To: Common Council
From: Staff
Date: 2/2/2024
Re: Feb 5, 2024 Meeting

Purchase new wood chipper and surplus old chipper: The 2024 Capital Projects Fund includes \$80,000 for the purchase of a new wood chipper. Staff contacted three vendors and received three quotes for a new 2024 wood chipper. The lowest responsible quote came from Bobcat of Janesville in the amount of \$68,360.00 for a Bandit Intimidator 18XP. Staff was able to demo all of the quoted chippers and agreed that the Bandit was the best option for City operations.

The DPW currently has a 1999 Morbark Model 13 Tornado wood chipper that we would surplus upon receipt of the new chipper with a minimum bid price of \$15,000.

Staff requests authorization to purchase a 2024 Bandit Intimidator 18XP from Bobcat of Janesville for \$68,360.00 and surplus the 1999 Morbark model 13 Tornado with a minimum bid of \$15,000.

Impact Fees for fire capital expenses: Some member communities of the Fire District are considering adopting an impact fee as a funding source for the anticipated fire district capital plans for new and upgrades facilities. Below are some facts about impact fees:

- Each municipality has to make its own decision about impact fee, this not a district or district-wide decision.
- Impact fees collected are held by the municipality that collects the fee. Impact fee funds can only be used to pay for those capital expenses for which they were collected. Fees cannot be used for operating and would not be given to the Fire District, ever.
- If a municipality were to implement an impact fee, the funds would be used to reduce the city's portion of the cost for the new and upgraded stations. For example, if a municipality were to collect \$100,000 in fire impact fees over several years and if that municipality's share of the cost of the fire district capital projects is \$2,000,000, the city would use the \$100,000 in impact fees to reduce the cost to be paid by tax payers from \$2,000,000 to \$1,900,000.
- If several municipalities in the fire district decide to implement impact fees, those communities could enter into a joint contract with a consultant to complete the impact fee study if the joint contract would be cheaper than individual contracts.
- Not all of the costs of the new or upgraded fire stations can be funded by impact fees. The impact fee study would determine what portion of the capital projects serve new residents and what portion is needed to address current deficiencies.

- The city currently has a park land and improvement impact fee of about \$900 per new housing unit.

Why do people commonly support Impact Fees? If the need for a future capital expenditure is being caused by new development, then the new development, not existing tax payers, will pay for a greater portion of the capital project.

Why do people commonly oppose Impact Fees? High fees may inhibit development; the fees increase the cost of housing thus reducing affordability (there are provisions in the statute to address this); developers typically oppose the fees as it increases their risk if they cannot increase the price of the home to cover the cost of the impact fee.

Policy Decision: The Council should determine if it wishes to consider an impact fee for Fire/EMS capital related costs. If so, does the Council want to join in a contract with other communities? Please note that there has not been a formal commitment to complete the Fire District projects. If impact fees were collected and the projects did not happen, or the scope changed drastically, the impact fees may have to be refunded to the entity that paid the fee.

Rock County Aerial Photo MOU: Both Dane and Rock Counties orchestrate county wide contracts to update aerial photography. Rock County is organizing a contract for 2024. The last time Rock County updated aerial maps was in 2020. The attached MOU establishes the joint purchase of new maps with the City's share of the cost of \$2,240. Staff recommends the Council approve the MOU and use capital surplus funds for the project.

Lateral Fees: Staff recommends the fee for commercial and industrial lateral inspections be changed from a per square foot charge to a flat fee for ease in administration and because the inspection for a lateral is the same amount of effort regardless of the size of the building.