

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

Monday, May 1, 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, April 28, 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 April 17, 2023 Council meeting.
 - B. Consider approval of minutes from April 18, 2023 Reorganization meeting.
7. Committee Reports:
 - A. Finance Committee:
 1. Consider pay request #3 for BKS Construction Inc for Henry St, Street and Utility Improvements Project.
 2. Consider approval of bills and payroll vouchers.
 3. Consider 2023 sidewalk bids.
 4. Consider bids for the Library Roof Replacement project.
 5. Consider Event Packet for the Night Market.
 6. Consider Temporary Class "B" Beer licenses for Chamber of Commerce Night Market.
 7. Consider Temporary Class "B" Wine licenses for Chamber of Commerce Night Market.
 - B. Plan Commission:
 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
 2. Consider second reading and adoption of City of Edgerton Ordinance 23-09: Amend Chapter 22 "Zoning Ordinances" to Regulate off-site parking in the Code of Zoning Ordinances.

C. Fire District:

1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
8. Consider Mayor recommendation for Committee Appointments.
9. Consider Resolution 11-23: A Resolution In Support of the North Rock River Drive Multipurpose Trail WISDOT 2023-2026 Transportation Alternatives Program (TAP) Application.
10. Consider City of Edgerton Resolution 12-23: Rock County Hazard Mitigation Plan.
11. Consider City of Edgerton Arbor Day Proclamation.
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.

**APRIL 17, 2023 COMMON COUNCIL MEETING MINUTES
CITY OF EDGERTON**

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

Present: Sarah Braun, 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, Alderperson Shawn Prebil, City Attorney Bill Morgan and many citizens.

Loveland confirmed the meeting agendas were properly posted on Friday, April 14, 2023 at the Post Office, Edgerton Library, City website, and City Hall.

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

MINUTES: A Paul Davis/Sarah Braun motion to approve the April 3, 2023 Council meeting minutes passed, all voted in favor.

A Paul Davis/Jim Burdick motion to approve April 6, 2023 Joint Council/Plan Commission meeting minutes passed, all voted in favor.

A Candy Davis/Casey Langan motion to approve the April 6, 2023 Joint Council/Plan Commission meeting minutes passed, all voted in favor.

COMMITTEES:

Finance Committee: A Candy Davis/Sarah Braun motion to approve the bills and payroll in the amount of \$286,287.63 passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a Temporary Class "B" Beer/Wine license for the Edgerton Lions Club Fireworks Celebration on July 3, 2023 passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve the extension of the occupancy permit deadline at 2 Burdick St to October 17th with the stipulation that the assessed value is at least \$250,000 passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to deny a partial payment of the incentive at 2 Burdick St passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to adopt City of Edgerton Resolution 01-23B: 2023 Salary Resolution amending the Aquatic Director salary passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve the bid from RT Fox Contractors for the Quigley St, Street and Utility Improvement Project in the amount of \$579,170 passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a billing credit for the sidewalk utility charge on the DPW water bill in the amount of \$16.50 passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve an event packet for the Edgerton History Hop on July 6, 2023 and waive all fees passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve an event packet for the National Night Out on August 1, 2023 and waive all fees passed on a 6/0 roll call vote.

Plan Commission: A Jim Burdick/Candy Davis motion to introduce and approve the first reading of City of Edgerton Ordinance 23-09: Amend Chapter 22 “Zoning Ordinances” to Regulate off-site parking in the Code of Zoning Ordinances passed on a 6/0 roll call vote.

RDA: A Casey Langan/Sarah Braun motion to approve a 6 month extension of the previously approved grants passed on a 6/0 roll call vote.

ORDINANCE 23-08: Paul Davis stated he agreed with allowing the change of 8 acres, but he does not agree with expanding that to 15 acres.

A few residents from the Orchard Heights neighborhood spoke against the change. The residents feel they are being forced to accept this change to bail out the developer. They indicated that when they purchased their property, they were told it would be a single-family development and now that is changing. They do not feel like the neighborhood can support multi-family parcels.

Stephanie Decker, 533 Falk Dr stated she did some research on the developer and visited other developments they did. She said her research showed the developer has a record of purchasing property and then asking for zoning changes. She also has concerns that the developer is not considering the current residents and how they feel. She asked if the City could hold off on making the change and use the current acreage as a trial to see if the neighborhood can support that before it adds more.

Paula Carrier, Owner of Best Realty, spoke briefly about some of the concerns from the residents.

Peter Bauknecht, 517 Lorraine Dr, stated he would like some kind of guarantee that the developer would not keep coming back for more changes if this one is approved.

Casey Langan/Sarah Braun moved to approve the second reading and adopt City of Edgerton 23-08: Adopt an Amendment to the 2015 City of Edgerton Comprehensive Plan for the area known as the unplatted area south of the Orchard Heights Subdivision. The motion passed on a 4/2 roll call vote. Paul Davis and Jim Burdick voted against the motion.

RESOLUTION 09-23: A Sarah Braun/Candy Davis motion to approve City of Edgerton Resolution 09-23: Blight Elimination for 407 N Main St passed on a 6/0 roll call vote.

DOROW AVE BLOCK PARTY: A Tim Shaw/Sarah Braun motion to approve the street closing for the Dorow Ave block party on May 27, 2023 with the conditions that the street is open and the noise level is kept down by midnight passed on a 6/0 roll call vote.

SARAH BRAUN DECLARATION: A Candy Davis/Jim Burdick motion to adopt the City of Edgerton Declaration for Sarah Braun passed on a 6/0 roll call vote.

Being no other business before the Council, a Sarah Braun/Jim Burdick motion to adjourn passed on a 6/0 roll call vote.

Wendy Loveland
City Clerk
Adopted May 1, 2023

**APRIL 18, 2023 COMMON COUNCIL RE-ORGANIZATION
MEETING MINUTES, CITY OF EDGERTON**

Mayor Christopher Lund called the meeting to order at 6:00 p.m.

Present: Casey Langan, Candy Davis, Tim Shaw (remote), Paul Davis, Jim Burdick and Shawn Prebil

Others Present: City Administrator Ramona Flanigan, City Clerk Wendy Loveland, and a few citizens

Loveland confirmed the meeting agendas were properly posted on Friday, April 14, 2023 at the Post Office, Library, City Hall and City's website.

City Clerk Wendy Loveland swore in Alderpersons Candy Davis, Paul Davis and Shawn Prebil.

ELECT COUNCIL PRESIDENT: A Candy Davis/Paul Davis motion to nominate and elect Jim Burdick as Council President passed on a 6/0 roll call vote.

CONSIDER COMMITTEE, COMMISSION AND CONTRACTUAL APPOINTMENTS: The Mayor presented the Council with his recommended appointments to committees, commissions and contractual services.

A Jim Burdick/Candy Davis motion to approve the committee, commissions, authorities and boards as recommended passed on a 6/0 roll call vote.

CONSIDER APPOINTMENT OF ZONING BOARD OF APPEALS CHAIR: A Paul Davis/Jim Burdick motion to approve the Mayor's recommendation of Dave Maynard as Chairperson of the Zoning Board of Appeals passed on a 6/0 roll call vote.

CONSIDER APPOINTMENTS TO JOINT REVIEW BOARD: A Jim Burdick/Candy Davis motion to approve the Mayor's recommendation of Casey Langan as elected representative for Joint Review Board passed on a 6/0 roll call vote.

A Jim Burdick/Casey Langan motion to approve the Mayor's recommendation of Jon Paulson as Joint Review Board Citizen-at-large passed on a 6/0 roll call vote.

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

Wendy Loveland
City Clerk

Adopted May 1, 2023

Memo

To: Common Council
From: Staff
Date: 4/28/2023
Re: May 1, 2023 Meeting

Library Roof Bids: The City took bids for the replacement of the flat roof at the library. We received only one bid. Staff recommends the Council reject the bid from Pioneer Roofing and readvertise due insufficient number of bids.

Resolution 11-23 TAP: The City and the Town of Fulton applied again for a TAP grant to build a multipurpose trail along part of River Road. The program requires we submit a resolution supporting the project and committing to pay our share of the engineering costs and 20% of the construction cost.

2023 Sidewalk Bids: The City has created a sidewalk utility to provide funding for sidewalk repair/replacement as needed throughout the City. Staff advertised for bids for a concrete contractor to perform sidewalk repair/replacement during the 2023 calendar year. Staff received one bid from Johnson Brothers at the following unit costs:

ITEM	UNIT	UNIT PRICE
REMOVE AND REPLACE 4" THICK SIDEWALK	S.F.	\$12.00
REMOVE AND REPLACE 6" THICK SIDEWALK	S.F.	\$15.00
INSTALL ADA RAMP	S.F.	\$44.00
REMOVE AND REPLACE CURB/GUTTER	L.F.	\$55.00

These unit costs are comparable to those received for the Henry Street project. Staff recommends awarding the contract for the 2023 concrete sidewalk and curb improvements to Johnson Brothers at the bid unit prices.

Edgerton Night Market Liquor Beer/Wine License: The Edgerton Chamber of Commerce has applied for a Temporary Class "B" Beer/Wine license for the Edgerton Night Market. They have specified 5 dates for the season. Wisconsin liquor regulations state there is a 2-license maximum on Temporary Class B Wine licenses in a 12-month period. Below are the dates and the type of licenses applied for:

May 26 th	Temporary Beer only
June 23 rd	Temporary Beer/Wine
July 21 st	Temporary Beer/Wine
August 18 th	Temporary Beer only
September 15 th	Temporary Beer only

**CITY OF EDGERTON
ORDINANCE No. 23-09**

AN ORDINANCE TO AMEND SECTION 22.304(7)(b) OUTDOOR STORAGE AND WHOLESALING AND 22.304 (8)(a) OFF SITE PARKING LOTS OF CHAPTER 22 “ZONING ORDINANCES” TO MODIFY OFF SITE PARKING REGULATIONS, 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(7)(b) and 22.304(8)(a) shall be amended as follows:

22.304(7) (b) Outdoor Storage or Wholesaling.

Description: Outdoor storage and wholesaling land uses are primarily oriented to the receiving, holding, and shipping of packaged materials for a single business or a single group of businesses operating on the site. Such a land use, in which any activity beyond loading and parking is located outdoors, is considered an outdoor storage and wholesaling land use. Examples of this land use include contractors' storage yards, equipment yards, lumber yards, coal yards, landscaping materials yard, construction materials yards, and shipping materials yards. Such land uses do not include the storage of inoperative vehicles or equipment, off-site parking of vehicles, or other materials typically associated with a junkyard or salvage yard. (See Subsection (7)(d), below.)

22.304(8) Transportation Land Uses.

(a) Off-Site Parking Lot.

Description: Off-site parking lots are any areas used for the temporary parking of vehicles which are fully registered, licensed and operative.

1. Permitted Use Regulations: Not Applicable

2. Permitted by Right with Additional Special Requirements: Not applicable {~~B-2, B-3, HMU, M-2, M-3~~}

a. ~~Access to an off-site parking lot shall only be permitted to a collector or arterial street.~~

~~b.—Access and vehicular circulation shall be designed so as to discourage cut-through traffic.~~

~~c.—Shall comply with Subsection 22.207, standards and procedures applicable to all uses permitted by right with special requirements.~~

3. Conditional Use Regulations: {B-1, B-2, B-3, HMU, M-2, M-3}

a. Access to an off-site parking lot shall be from a collector or arterial street whenever possible.

b. Access and vehicular circulation shall be designed so as to discourage cut-through traffic.

c. Shall comply with Subsection 22.2067, standards and procedures applicable to all conditional uses permitted by right with special requirements.

4. Parking Regulations: No requirement.

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: April 6, 2023

1st Reading: April 17, 2023

2nd Reading: May 1

Adopted: May 1

Published: May 3, 2023

Dated: May 1, 2023

Wendy Loveland, City Clerk

STATE OF WISCONSIN)

COUNTY OF ROCK)ss.
)

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 1st day of May, 2023.

Wendy Loveland, City Clerk

**CITY OF EDGERTON
RESOLUTION NO. 11-23**

**A RESOLUTION IN SUPPORT OF THE NORTH ROCK RIVER DRIVE MULTIPURPOSE
TRAIL WISDOT 2023-2026 TRANSPORTATION ALTERNATIVES PROGRAM (TAP)
APPLICATION**

WHEREAS, City of Edgerton supports the Transportation Alternatives Program (TAP) application to the Wisconsin Department of Transportation (WisDOT) for the 2023-2026 award cycle. The purpose of the TAP application is to secure funds to be used to partially pay for the construction of the North Rock River Drive multipurpose trail in conjunction with the Town of Fulton; and,

WHEREAS, the City of Edgerton and the Town of Fulton will apply jointly for the TAP grant with the Town serving as the sponsor;

WHEREAS, the City of Edgerton recognizes its responsibility for costs associated with the trail project for the section from Hwy 59 to North Marian Drive and the Town of Fulton recognizes its responsibility for costs associated with the trail project south of North Marian Drive.

WHEREAS, the City of Edgerton recognizes that 20 percent of the construction costs as well as the design costs will be locally funded and are not reimbursable under the TAP grant; and,

WHEREAS, The City of Edgerton recognizes that WisDOT will reimburse the Town as the project sponsor for the federal share of up to 80 percent of the approved TAP construction costs; and,

WHEREAS, in light of the minimum 20 percent match requirement for construction costs and 100 percent requirement for design costs, the City of Edgerton commits to securing its share of the matching and needed funds;

NOW, THEREFORE, BE IT RESOLVED, that if the Town of Fulton is awarded funding by the Wisconsin Department of Transportation (WisDOT) for the 2023-2026 Transportation Alternatives Program (TAP) award cycle, the City of Edgerton agrees to enter into all necessary agreements with WisDOT and the Town of Fulton for the North Rock River Drive Trail Project; and,

BE IT FINALLY RESOLVED, that City of Edgerton agrees to comply with all applicable laws, requirements, and regulations as outlined in the WisDOT 2023-2026 TAP application materials, the state-municipal agreement between WisDOT and the Town of Fulton, and any other program and/or project documentation

Motion by:

Seconded by:

Roll Call: Yeas: Noes:

Dated: May 1, 2023

Christopher W. Lund, Mayor

ATTEST

Wendy Loveland, City Clerk

**CITY OF EDGERTON
RESOLUTION No. 12-23**

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF EDGERTON ADOPTING
THE 2023 ROCK COUNTY HAZARD MITIGATION PLAN**

WHEREAS, the City of Edgerton Common Council recognizes the threat that natural hazards pose to people and property within the City of Edgerton; and

WHEREAS, Rock County Emergency Management has prepared a multi-hazard mitigation plan, hereby known as the 2023 Rock County Hazard Mitigation Plan in accordance with federal laws, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended; the National Flood Insurance Act of 1968, as amended; and the National Dam Safety Program Act, as amended; and

WHEREAS, the City of Edgerton Public Safety Members participated jointly in the planning process with Rock County and the other local units of government within the County; and

WHEREAS, the 2023 Rock County Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in Edgerton from the impacts of future hazards and disasters; and

WHEREAS, adoption by the City of Edgerton Common Council demonstrates its commitment to hazard mitigation and achieving the goals outlined in the 2023 Rock County Hazard Mitigation Plan.

WHEREAS, an updated hazard mitigation plan is required by FEMA as a condition of future grant funding for mitigation projects; and

NOW THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL, CITY OF EDGERTON, WISCONSIN, THAT:

In accordance with City of Edgerton Ordinance 3.33, the City of Edgerton, Common Council adopts the 2023 Rock County Hazard Mitigation Plan as an official countywide mitigation plan. Subsequent plan updates following the approval period for this plan will require separate adoption resolutions.

This resolution was adopted May 1, 2023

Motion By:

Second By:

Roll Call: Yeas: Noes:

Dated: May 1, 2023

Christopher W. Lund, Mayor

Wendy Loveland, City Clerk

CITY OF EDGERTON PROCLAMATION

RECOGNIZE THE LAST FRIDAY IN APRIL AS ARBOR DAY

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, BE IT RESOLVED that the City of Edgerton does hereby proclaim the last Friday in April as Arbor Day, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Christopher W. Lund, Mayor

ATTEST

Wendy Loveland, City Clerk

Dated April 28, 2023

