

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

**Monday, February 15, 2021 at 7:00 p.m.**

**NOTE: PER EMERGENCY ORDER FACE COVERINGS ARE REQUIRED**

**REMOTE PARTICIPATION:** To participate or 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](http://www.cityofedgerton.com).

1. Call to order; Roll call
2. Pledge of Allegiance.
3. Confirmation of appropriate meeting notice posted on Friday, February 12, 2021.
4. Council acceptance of agenda.
5. Personal appearances for non-agenda items limited to 3 minutes.
  - A. The public will be allowed to speak on agenda items during the meeting.
6. Minutes:
  - A. Consider approval of minutes from February 1, 2021 Council meeting.
7. Committee Reports:
  - A. Finance Committee:
    1. Consider approval of bills and payroll vouchers.
    2. Consider approval of licenses.
    3. Consider accepting highest auction bid for Sullair 185 Portable Air Compressor.
    4. Consider bids for purchase of replacement air compressor.
    5. Consider bids for parks department lawn mower.
  - B. Plan Commission:
    1. Consider approving the second reading and adopting City of Edgerton Ordinance 21-02: Amend Section 22.721(1)(a) and 22.304(5)(a) to allow commercial apartments on the first floor, in the rear of commercial structures, in the B-2 Central Business Districts.
    2. Consider approving the second reading and adopting City of Edgerton Ordinance 21-03: Amend Section 22.304(2)(e) and 22.304(5)(z) to allow bee keeping in all zoning districts.
  - C. Utility Commission:
    1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.
8. Consider Council's requirement for filling employment vacancies.

9. Consider Mayor's recommendation to fill Joint Review Board - Member-at-Large vacancy.
10. Mayor, alderperson and staff reports.
11. 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 purchase for park and stormwater control.  
AND  
Discuss and consider TIF 9 business incentive.
12. 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.

**FEBRUARY 1, 2021 COMMON COUNCIL MEETING MINUTES  
CITY OF EDGERTON**

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

Present: Sarah Braun (remote), Casey Langan, Candy Davis, Tim Shaw, Anne Radtke (remote), and Jim Burdick.

Others Present: City Administrator Ramona Flanigan, Clerk Treasurer Cindy Hegglund, Municipal Services Director Howard Moser, Police Chief Robert Kowalski, Library Director Kirsten Almo, City Attorney Bill Morgan, Veronica Ellingsworth (remote) and Sam Martino (remote).

Hegglund confirmed the meeting agendas were properly posted on Friday, January 29, 2021 at the Post Office, City Hall, and the Edgerton Library.

**ACCEPT THE AGENDA:** A Casey Langan/Candy Davis motion to approve the agenda as printed passed on a 6/0 roll call vote.

**MINUTES:** A Candy Davis/Sarah Braun motion to approve the minutes from the January 18, 2021 Common Council meeting passed on a 6/0 roll call vote.

**COMMITTEES:**

**Finance Committee:** A Candy Davis/Tim Shaw motion to approve the bills and payroll list in the amount of \$95,118.91 passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve the purchase of a waterslide from Commercial Recreation Specialists in the amount of \$30,873 passed on a 5/0/1 roll call vote. Sarah Braun lost connection.

A Candy Davis/Tim Shaw motion to declare a Sullair 185 portable air compressor as surplus passed on a 5/0/1 roll call vote. Sarah Braun lost connection.

A Candy Davis/Tim Shaw motion to accept the high bid of \$4,250 for the 2013 Dodge Charger and \$6,725 for the 2017 Dodge Charger passed on a 6/0 roll call vote.

A Candy Davis/Tim Shaw motion to adopt City of Edgerton Resolution 03-21: Approving budget transfers and amendments for the year ending December 31, 2020 passed on a 6/0 roll call vote.

A Candy Davis/Tim Shaw motion to adopt City of Edgerton Resolution 04-21: Approving the assigned fund balance for the year ending December 31, 2020 passed on a 6/0 roll call vote.

A Candy Davis/Sarah Braun motion to approve a façade grant for 1 W Fulton St for an amount up to \$5,000 passed on a 6/0 roll call vote.

**Plan Commission:** Veronica Ellingsworth, 204 E Hubert Street stated she would like to see the City reconsider the mini pig ordinance. She feels it would give the City the opportunity to draw positive

attention to some new ways for people to have pets in their lives. She also felt this would draw younger families with children into our community and would shine a positive light on our community.

Anne Radtke stated she and other council members have received numerous calls from constituents stating they were against allowing pigs in the City.

An Anne Radtke/Jim Burdick motion to deny City of Edgerton Ordinance 21-01: Amend Section 22.304(5)(z) to allow mini pigs in residential zoning districts passed on a 6/0 roll call vote.

A Casey Langan/Jim Burdick motion to introduce and approve the first reading of City of Edgerton Ordinance 21-02: Amend Section 22.721(1)(a) and 22.304(5)(a) to allow commercial apartments on the first floor, in the rear of commercial structures in the B-2 Central Business Districts passed on a 6/0 roll call vote.

A Casey Langan/Jim Burdick motion to introduce and approve the first reading of City of Edgerton Ordinance 21-03: Amend Section 22.304(2)(e) and 22.304(5)(z) to allow bee keeping in all zoning districts passed on a 6/0 roll call vote.

An Anne Radtke/Jim Burdick motion to approve a preliminary one lot CSM for the City of Edgerton to create 2 lots and one outlot east of Marshview Court passed on a 6/0 roll call vote.

An Anne Radtke/Jim Burdick motion to adopt City of Edgerton Resolution 05-21: Approving the final one lot CSM for the City of Edgerton to create 2 lots and one outlot east of Marshview Court passed on a 6/0 roll call vote.

Being no other business before the Council, a Sarah Braun/Anne Radtke motion to adjourn passed on a 5/1 roll call vote. Jim Burdick voted against the motion.

Cindy Hegglund/wl  
City Clerk-Treasurer

Adopted February 15, 2021

# Memo

To: Common Council  
From: Staff  
Date: 2/12/2021  
Re: February 15, 2021 Meeting

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**Policy for lifting hiring freeze:** The personnel policy manual does not require Council or committee approval to fill vacant positions. In 2003 due to a concern for a significant reduction in shared revenues, the Council passed a motion requiring department heads to obtain Council approval before filling vacant positions. Does the Council wish to continue to require approval to fill vacant positions or should the policy revert to the language in the personnel policy manual?

**Bids for sale of air compressor:** The bids will be available on Monday for the sale of the Sullair air compressor.

**Municipal Garage Air Compressor:** The 2021 budget includes funding to replace the air compressor in the Public Works garage. Staff contacted several vendors and the lowest responsible quote for an Ingersoll Rand Type-30 Reciprocating Air Compressor Model # 2340L5-V came from Northern Tool & Equipment. Staff requests authorization to purchase the air compressor from Northern Tool & Equipment for \$1439.99.

**CITY OF EDGERTON  
ORDINANCE No. 21-02**

**AN ORDINANCE TO AMEND SECTIONS OF CHAPTER 22 “ZONING  
ORDINANCES” TO ALLOW COMMERCIAL APARTMENTS ON THE FIRST  
FLOOR, IN THE CODE OF ZONING ORDINANCES, CITY OF EDGERTON ROCK  
AND DANE COUNTIES, WISCONSIN**

Aldersperson \_\_\_\_\_ 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 sections 22.304(5)(a) and 22.721(1)(a) shall be amended as follows:

**22.304 (5) Accessory Land Uses.**

**(a) Commercial Apartment.**

Description: Commercial apartments are dwelling units which are located in conjunction with, and accessory to, above the ground floor of a building used for a commercial land use (as designated in Subsection (4), above) – most typically an office or retail establishment. The primary advantage of commercial apartments is that they are able to share required parking spaces with nonresidential uses.

1. Permitted by Right: Not Applicable
2. Permitted by Right with Additional Special Requirements: Not Applicable
3. Conditional Use Regulations: {B-1, B-2, B-3, B-4, HMU}
  - a. The gross floor area devoted to commercial apartments shall be counted toward the floor area of a nonresidential development.
  - b. In the B-1, B-3, B-4 and HMU districts, commercial apartments cannot be located on the ground floor.
    - i. A minimum of 1 off-street parking space shall be provided for each bedroom within a commercial apartment. Parking spaces provided by nonresidential land uses on the site may be counted for this requirement with the approval of the Zoning Administrator.
  - c. In the B-2 District, commercial apartments are allowed on any floor of a structure but commercial apartments on the ground floor are allowed under the following conditions:
    - i. The business use shall occupy the traditional store front area(s) of the building;
    - ii. The commercial land use must comprise at least the front (traditional storefront) 500 sf of the ground floor. ~~The Plan Commission may reduce this standard, as necessary ;~~
    - iii. Exterior features and architectural elements of existing building façades must not be altered in a manner which detracts significantly from the character of structure to accommodate the commercial apartment;
    - iv. Clear ingress and egress shall be established pursuant to all applicable building and fire codes, as amended from time to time;

- v. Compliance with all other applicable city codes and regulations as may be required to allow for residential occupancy of first floor areas.
- vi. Applications for the establishment of all new residential units on any floor shall include a description of where parking will be provided for each residential unit including the use of parking spaces provided by nonresidential land uses on the site.
- vii. Applications for the establishment of all new residential units on the ground floor shall include a proposal to establish a window display providing interest to pedestrian traffic (i.e. advertising for a local business or attraction) in times when the commercial space is not occupied by a business.

e-d. Shall comply with Subsection 22.206, standards and procedures applicable to all conditional uses.

**22.721 Central Business District (B-2).**

**(1) Description and Purpose:**

Central Business District Architectural Requirements:

**(a) General:**

Nonresidential and residential construction, including new structures, building additions, building alterations, and restoration or rehabilitation shall correspond to the downtown design guidelines as determined by the Plan Commission and as evidenced by certain existing structures within the downtown and by the following requirements for building setback; height; building mass; horizontal rhythms (created by the placement and design of facade openings and related elements such as piers, columns); vertical rhythms (created by the placement and design of facade details such as sills, transoms, cornices and sign bands); roof forms; exterior materials; exterior surface features and appurtenances; exterior colors; exterior signage; on-site landscaping; exterior lighting; parking and loading area design; and the use of screening. Existing and new structures with less than a ten foot front yard setback must have a storefront or office (nonresidential) component on the first floor in the front of the building. All new residential construction on Fulton Street shall be required to have a storefront component. The first floor of all new construction which does not have a storefront shall provide pedestrian amenities such as sitting areas or shall have other features to make the building interesting for pedestrian traffic.

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: January 25, 2021

1st Reading: February 1, 2021

2nd Reading:

Adopted:

Published:

Dated:

\_\_\_\_\_  
Ramona Flanigan, City Administrator

STATE OF WISCONSIN)

)ss.

COUNTY OF ROCK )

I, Ramona Flanigan, City Administrator, 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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
Ramona Flanigan, City Administrator



**CITY OF EDGERTON  
ORDINANCE No. 21-03**

**AN ORDINANCE TO AMEND SECTIONS OF CHAPTER 22 “ZONING  
ORDINANCES” TO ALLOW BEE KEEPING IN ALL ZONING DISTRICTS, IN THE  
CODE OF ZONING ORDINANCES, CITY OF EDGERTON ROCK AND DANE  
COUNTIES, WISCONSIN**

Alderson Casey Langan 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 sections 22.304(2)(e) and 22.304(5)(z) shall be amended as follows:

**22.304 (2) Agricultural Land Uses**

**(e) Husbandry.**

Description: Husbandry land uses include all operations primarily oriented to the on-site raising and/or use of animals at an intensity of less than 1 animal unit (as defined in Subsection 22.102) per acre. Apiaries are considered husbandry land uses. Husbandry activities that are not the Principal Use of the property are regulated as Accessory uses in Section 22.304(5)(z)

1. Permitted by Right: Not Applicable
2. Permitted by Right with Additional Special Requirements: Not Applicable
3. Conditional Use Regulations: {A-1}
  - a. Any building housing animals shall be located a minimum of 300 feet from any residentially zoned property, and 100 feet from all other lot lines.
  - b. All outdoor animal containments (pastures, pens, and similar areas) shall be located a minimum of 10 feet from any residentially zoned property.
  - c. Shall comply with Subsection 22.206, standards and procedures applicable to all conditional uses.
4. Parking Regulations: One space per employee on the largest work shift.

**22.305(5) Accessory Uses**

**(z) Husbandry.**

Description: Husbandry land uses include all operations primarily oriented to the on-site raising and/or use of animals at an intensity of less than one (1) animal unit (as defined in Section 22.102) per acre where the Husbandry activities are not the Principal Use of the property. Apiaries (bee keeping) are considered husbandry land uses.

**Regulations for apiaries only**

1. Permitted by Right: Not Applicable.
2. Permitted by Right with Additional Special Requirements: ~~Not Applicable all districts.~~
  - a. No bees shall be intentionally kept and maintained other than honey bees.
  - b. No hive shall exceed 20 cubic feet in volume.
  - c. No more than six hives may be kept on a zoning lot.

- ~~d. No hive shall be located closer than three feet from any property line of a zoning lot in different ownership.~~
  - d. No hive shall be located closer than ten feet from any property line or right of way public sidewalk or 25 feet from a principal building on an abutting lot in different ownership.
  - e. An ever-present supply of water shall be provided for all hives.
  - f. A flyway barrier at least six feet in height shall shield any part of a property line of a zoning lot in different ownership that is within 25 feet of a hive. The flyway barrier must effectively direct bees to fly up and over the barrier when flying in the direction of the barrier. The flyway barrier shall consist of a wall, fence, dense vegetation or combination thereof, and it shall be positioned to transect both legs of a triangle extending from an apex at the hive to each end point of the part of the property line to be shielded. The barrier shall further comply with any applicable fence regulations contained in this Code of Ordinances
  - g. Every owner of a hive shall obtain a license for such hive prior to establishing a hive and annually thereafter. There will be a fee of \$10.00 for said license. Hive licenses are required to be renewed by March 31st every year. License renewal payments received after the March 31st deadline will be subject to a late fee of \$5.00 in addition to any applicable license fees.
  - h. Shall comply with Subsection 22.207, standards and procedures applicable to all special uses.
3. Conditional Use Regulations: {For apiaries only: A-1, B-4, M-1, M-2, M-3} not applicable
- ~~a. Any buildings or hives housing animals or bees shall be located a minimum of three hundred (300) feet from any residentially zoned property, and one hundred (100) feet from all other lot lines.~~
  - ~~b. All outdoor animal containments (pastures, pens, and similar areas) shall be located a minimum of ten (10) feet from any residentially zoned property.~~
  - ~~c. Shall comply with Subsection 22.206, standards and procedures applicable to all conditional uses.~~

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

Seconded by Alderperson: Jim Burdick

Roll Call: Ayes Noes

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Christopher Lund, Mayor

Public Hearing: January 25, 2021

1st Reading: February 1, 2021

2nd Reading:

Adopted:

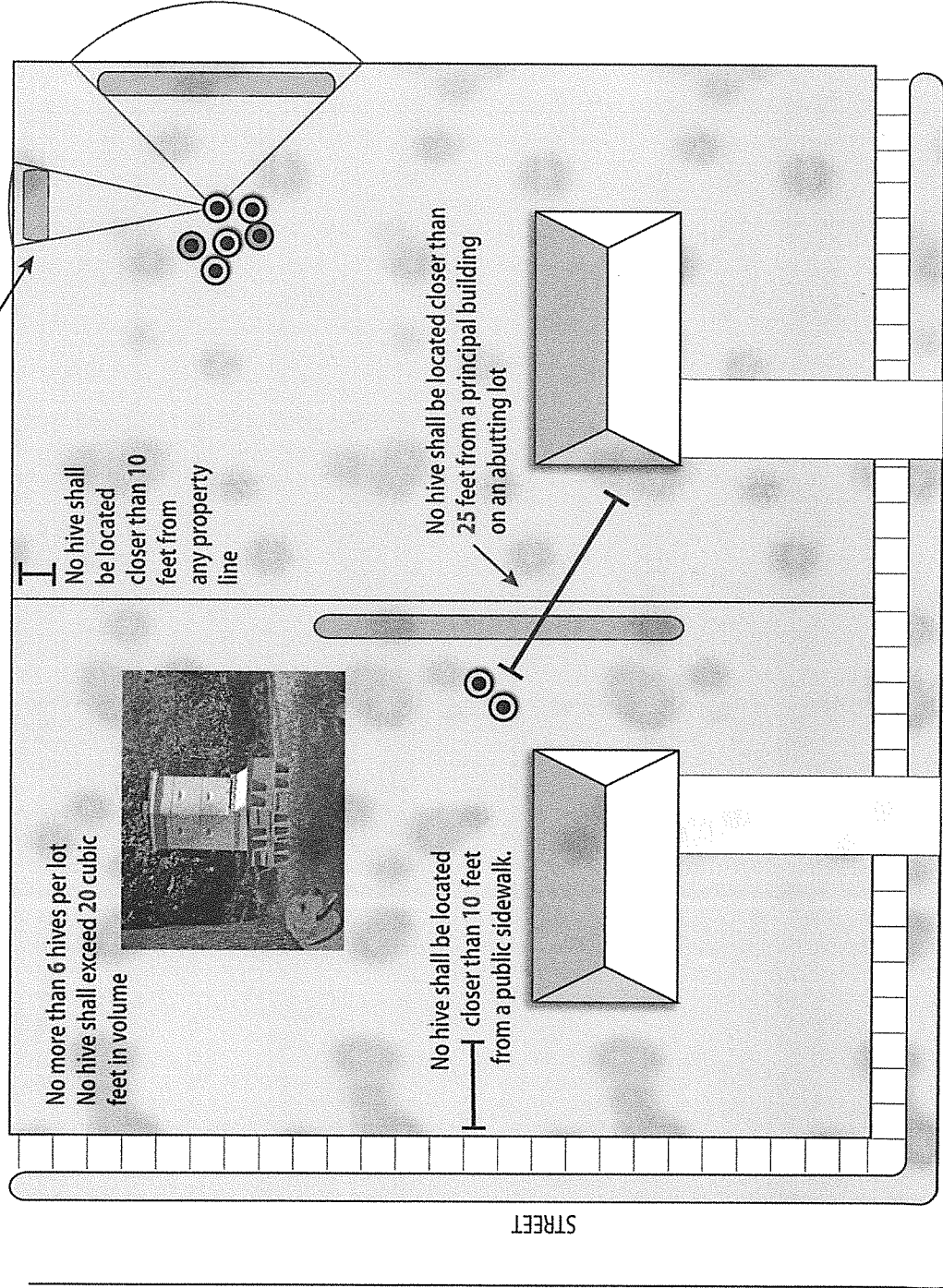
Published:

Dated:

\_\_\_\_\_  
Ramona Flanigan, City Administrator



A flyway barrier shall shield any part of a property line that is within 25 feet of a hive. The flyway barrier shall consist of a wall, fence, dense vegetation or a combination thereof and it shall be positioned to transect both legs of a triangle extending from an apex at the hive to each end point of the part of the property line to be shielded.



No more than 6 hives per lot  
No hive shall exceed 20 cubic feet in volume

No hive shall be located closer than 10 feet from any property line

No hive shall be located closer than 10 feet from a public sidewalk.

No hive shall be located closer than 25 feet from a principal building on an abutting lot

STREET

STREET