

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

Monday, May 17, 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.

1. Call to order; Roll call
2. Pledge of Allegiance.
3. Confirmation of appropriate meeting notice posted on Friday, May 14, 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 May 3, 2021 Council meeting.
7. Committee Reports:
 - A. Finance Committee:
 1. Consider pay request #5 from R.T. Fox Contractors for the Marshview Court improvement project.
 2. Consider approval of bills and payroll vouchers.
 3. Consider licenses applications.
 - a. Consider sandwich board sign permit for Campbell Boys General Store at 115 N Henry St.
 4. Consider public event packet for EHS Graduate Drive Through Parade on May 23rd and waive any fees.
 5. Consider adoption of City of Edgerton Donation Policy.
 6. Consider awarding bid for Library LED lighting upgrade project.
 7. Consider Façade Grant for 201 W Fulton St.
 8. Consider Small ED Grant for 115 Henry St.
 9. Consider amendments to the façade and Small ED programs.
 10. Consider Affordable Housing Manual.
 11. Consider amendment to 2021 wages for part-time swimming pool and concession stand employees.

- B. Park Committee:
 - 1. Consider approving second reading and adoption of City of Edgerton Ordinance 21-05: Amend Chapter 15 Parks to set park closing hours.
 - C. Utility Commission:
 - 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.
 - D. Historic Commission:
 - 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.
 - E. Public Works:
 - 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.
 - F. Redevelopment Authority:
 - 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.
 - G. Police Commission:
 - 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.
 - H. Tree Board:
 - 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meetings.
8. Consider approving the second reading of City of Edgerton Charter Ordinance 21-06: To Amend Section 2.02 Elected Officials to change the term of office for Mayor.
9. Mayor, alderperson and staff reports.
10. 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.

**MAY 3, 2021 COMMON COUNCIL MEETING MINUTES
CITY OF EDGERTON**

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

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

Absent: Sarah Braun

Others Present: City Administrator Ramona Flanigan, City Clerk/Treasurer Cindy Heggund, Municipal Services Director Howard Moser, Library Director Kirsten Almo (remote), Police Chief Robert Kowalski, Fire Chief Randy Pickering, City Attorney Bill Morgan and citizens.

Heggund confirmed the meeting agendas were properly posted on Friday, April 30, 2021 at the Post Office, City Hall, and the Edgerton Library.

ACCEPT THE AGENDA: A Candy Davis/Jim Burdick motion to approve the agenda as printed passed on a 5/0 roll call vote.

PERSONAL APPEARANCES: Roger Schoonover, 804 N Main St, spoke to the Council regarding neighbor complaints, pit bull issues, and complaints about the condition of the Conservation Club deer at Racetrack Park.

MINUTES: A Candy Davis/Casey Langan motion to approve the minutes from the April 19, 2021 Common Council meeting passed on a 5/0 roll call vote.

A Candy Davis/Casey Langan motion to approve the minutes from the April 20, 2021 Re-organizational Council meeting passed on a 5/0 roll call vote.

A Casey Langan/Paul Davis motion to approve the minutes from the April 26, 2021 Special Council meeting passed on a 5/0 roll call vote.

COMMITTEES:

Finance Committee: A Candy Davis/Tim Shaw motion to approve the bills and payroll list in the amount of \$139,294.18 passed on a 5/0 roll call vote.

A Candy Davis/Tim Shaw motion to deny an Operator's License to Ashlyn Oren passed on a 5/0 roll call vote.

A Candy Davis/Tim Shaw motion to approve a Temporary Class "B" Beer and Wine License for the Edgerton Lion's Club for July 3rd passed on a 5/0 roll call vote.

The ARTS Council is requesting striping be put down in the lawn during their Concerts in the Park events to promote social distancing. Howard Moser stated it would be very time consuming for his staff to do the striping for each concert. Moser suggested they use signage instead of the striping. The organizers asked if they did the striping themselves would that be acceptable? Moser stated that would be acceptable to the City.

Carla Simpson and Greg Sicome, members of the ARTS Council asked if the DPW would be willing to do some minimal striping for the organization if they can't do it themselves. Moser stated the City will work with the organization to come up with an equitable solution to promote social distancing.

A Candy Davis/Tim Shaw motion to approve the public event packet for Concerts in the Park Series, waive the fees, and recommend the organizers use signage instead of striping for social distancing or work out a solution with the City passed on a 5/0 roll call vote.

A Candy Davis/Tim Shaw motion to award the stump grinding and tree planting bid to Madison Commercial Landscapes in the amount of \$26,500 passed on a 5/0 roll call vote.

A Candy Davis/Tim Shaw motion to approve contracting with MSA for the Affordable Housing Program administration passed on a 5/0 roll call vote.

Park & Rec Committee: A Candy Davis/Casey Langan motion to introduce and approve the first reading of City of Edgerton Ordinance 21-05: Amend Chapter 15 "Parks" to set park closing hours passed on a 5/0 roll call vote.

Plan Commission: A Jim Burdick/Paul Davis motion to adopt City of Edgerton Resolution 11-21: Approving the final three lot certified survey map to create two lots and one outlot at Terrace Court and Elm High Dr passed on a 5/0 roll call vote.

A Jim Burdick/Paul Davis motion to approve an extraterritorial one lot land division to combine lots on N Main Street and County Hwy F for Luedtke, Section 21, Town of Fulton passed on a 5/0 roll call vote.

A Jim Burdick/Paul Davis motion to approve an extraterritorial one lot land division to combine lots on N East Badger Heights for Booth, Section 14, Town of Fulton passed on a 5/0 roll call vote.

A Jim Burdick/Paul Davis motion to approve an extraterritorial one lot land division on Albion Road for Zimdars, Section 27, Town of Albion passed on a 5/0 roll call vote.

ORDINANCE 21-06: A Casey Langan/Jim Burdick motion to introduce and approve the first reading of City of Edgerton Charter Ordinance 21-06: Amend Section 2.02 Elected Officials to change the term of office for Mayor passed on a 5/0 roll call vote.

VETERAN'S MEMORIAL LEASE: The lease will allow the Veteran's organization to continue to own, be responsible for, and maintain the improvements to the Veteran's Memorial. The City will carry liability insurance at this time. The lease terms do not require the city to provide the insurance, therefore, the lease does make a provision that the veterans will be required to obtain insurance if the City decides to cease providing it. The lease is a 30-year lease at \$1 per year.

A Candy Davis/Jim Burdick motion to approve the lease with the Veterans for the Veterans' Memorial passed on a 5/0 roll call vote.

DECLARATION: A Candy Davis/Paul Davis motion to approve City of Edgerton Declaration recognizing May 9-15, 2021 as Police Week passed on a 5/0 roll call vote.

CLOSED SESSION: Candy Davis/Casey Langan 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 TIF incentive for IKI Manufacturing. The motion passed on a 5/0 roll call vote.

Being no other business before the Council, a Casey Langan/Tim Shaw motion to adjourn passed on a 4/1 roll call vote. Jim Burdick voted against the motion.

Cindy Hegglund/wl
City Clerk-Treasurer

Adopted May 17, 2021

Memo

To: Common Council
From: Staff
Date: 5/14/2021
Re: May 17, 2021 Meeting

Application for a Façade Grant for 201 W Fulton St: The owner of 201 W Fulton Street (former Mario's Pizza) is requesting approval of a façade grant to replace the roof on the building. The work is complete and the cost exceeded \$25,000. The RDA recommends a Façade Grant of \$5,000.

Application for Small Ed Grant and a Façade Grant for 115 Henry Street: The owner of 115 Henry Street plans to modernize the electrical in the commercial space by adding outlets and some lighting. The RDA recommended a Small Ed Grant in the amount of \$2,680.

Façade Program: The RDA recommended the incentives for the two small grant programs be increased one more time before the end of the TIF #6 expenditure period. They propose to increase the percentage of projects paid by the City from 40% to 50% and to increase the maximum grant amount from \$5,000 to \$10,000 for the façade program and from \$3,000 to \$6,000 for the Small Ed (interior repairs) Program.

Donation Policy: The Finance Committee recommends the attached donation policy. The significant policy questions are highlighted.

Easement Purchases: On this (and on future) bill lists you will see compensation to land owners for easements that are needed for the S Main Street project.

Affordable Housing Policy: A draft policy for the Affordable Housing Program is in your packet. The Committee should decide on a name for the program. In preparing the manual staff has the following policy question.

- Does the Committee want to consider subordination requests or can the consultant make those decisions?

Program name suggestions (so far): Edgerton Home Revival

Library Interior Lighting LED Conversion bid award: On April 30, 2021 bids were opened for the library interior lighting LED conversion. Van Brocklin Electric provided the lowest responsible bid to convert 261 fixtures to LED at a cost of \$18,800.00. The next lowest bid was \$32,000. The budget amount is \$25,000. Staff recommends awarding this contract to Van Brocklin Electric, but requests the

Council award a “not to exceed” amount of \$25,000 as we anticipate some modifications may be needed to the emergency lighting.

Pool Wages: The starting wage for Edgerton lifeguards is \$8.50/ hour. Pool Director, Anne Gohlke, reviewed wages of area pools and based on the data, she is recommending an increase in the starting wage for lifeguards to \$9.25. The Director estimates the additional cost of raising starting wage to \$9.25 to be \$1,600 and raising the stating wage to \$9.50 would be \$3,150.

The Director is also requesting starting wage for non-certified employees be increased from \$6.00/hour to regular minimum wage, which is \$7.25/hour. It is legal, and it has been our practice, to pay employees under 20 a “Youth Minimum Wage” for the first 90 days.

**CITY OF EDGERTON
ORDINANCE No. 21-05**

**AN ORDINANCE TO AMEND CHAPTER 15 "PARKS" TO SET PARK CLOSING
HOURS, IN THE CODE OF GENERAL ORDINANCES, CITY OF EDGERTON ROCK
AND DANE COUNTIES, WISCONSIN**

Aldersperson Candy Davis 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 15, sections 15.02 and 15.04 shall be amended as follows:

15.02 (It shall be unlawful for any person)

(10) BEER, WINE AND INTOXICATING LIQUOR PROHIBITED. To have in his or her possession, while in any park, any fermented malt beverages, wine or intoxicating liquor and/or to drink any fermented malt beverages or intoxicating liquor in any public park, (See exception 15.02 (10) (a) and (b)). It shall be lawful for a person to traverse a public park without stopping while carrying unopened fermented malt beverages, wine or intoxicating liquor.

(a) Racetrack Park shall be exempted from the provisions of this Subsection so that persons may possess fermented malt beverages or intoxicating liquor provided that said person has obtained the legal drinking age, the beverage is not in a glass container, and further provided that no one may possess any opened fermented malt beverages, wine or intoxicating liquor in Racetrack Park from ~~the hours of 11:00 P.M.~~ *sunset* until 9:00 A.M. *unless otherwise allowed by provisions in section (15) Park Hours below.*

(12) LOITERING OR PARKING PROHIBITED. To loiter in, or park any automobile or other vehicle in, any public park, ~~bathing beach~~ or swimming pool grounds or lands owned or controlled by the City.

(15) PARK HOURS. *To be or remain in any City of Edgerton Park from sunset to sunrise.*

The following are exceptions to park hours:

- *Passing through a park area either in a vehicle or on foot without stopping during such hours;*
- *City authorized regularly scheduled recreational activities;*
- *City authorized shelter/park rentals;*
- *City approved events that are allowed after sunset but no later than midnight;*
- *Organized events at the Conservation Club.*

The entrances of all parks shall be conspicuously posted indicating the closing hours of the park.

15.04 UNIFORM FINES & PENALTIES

15.02(15) Violate park closing hours \$250

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

Seconded by Alderperson: Casey Langan

Roll Call: Ayes Noes

Christopher Lund, Mayor

1st Reading: May 3, 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 17th day of May, 2021.

Ramona Flanigan, City Administrator

**CITY OF EDGERTON MUNICIPAL CODE
CHAPTER 15**

PARKS

SECTION 15.01 CEMETERY AND PARK COMMISSION.

- (1) **CREATION.** A Cemetery and Park Commission is created pursuant to Sections 27.08 of the Wisconsin Statutes and shall have the duties and authority prescribed therein and in Section 2.05(7) of this Municipal Code and shall provide for the care and management of the parks and recreation programs in the City.
 - (a) **POWERS.** Said Commission shall advise the Common Council on the care for, management and regulation of all parks now owned or hereafter acquired and shall manage and regulate the recreation program of the City subject to the rules and regulations as may be adopted by the Common Council from time to time.
 - (b) **FUNDS AND BUDGET OF PARKS AND RECREATION.** Said Commission shall annually submit to the Council, at the time provided by law, requested budgets for the operation and maintenance of the Parks and Recreation Program. The City Administrator shall keep an account of all monies received and disbursed for the Parks and Recreation Program.
 - (c) The Director of Public Works shall have direct supervision of all parks and recreation programs and shall be appointed in accordance with Chapter 2.03(6).
- (2) **POWERS AND DUTIES.**
 - (a) **GENERAL SUPERVISION.** The Director of Public Works, under the direction of the Commission, shall have the general supervision, control, charge and management of the parks and all grounds connected therewith.
 - (b) **RESPONSIBLE TO COMMISSION.** The Director shall be directly responsible to the Commission and shall abide by such rules and regulations as may be adopted from time to time by the Commission and approved by the Council.

SECTION 15.02 PARK REGULATIONS.

It shall be unlawful for any person:

- (1) **ALTERATION PROHIBITED.** To alter or change or cause to be altered or changed, anything within any park unless permitted to do so by the Common Council.
- (2) **MOTOR VEHICLES REGULATED.** To drive any motor vehicle faster than ten miles an hour and to drive any vehicle except upon the established roadways.
- (3) **INJURIES TO TREES AND SHRUBS PROHIBITED.** To willfully injure, cut down or destroy any fruit, shade or ornamental tree or shrub standing or being within any park.
- (4) **NO ANIMALS.** Repealed with Ordinance No. 97-35, see Chapter 29.
- (5) **OFFICIAL SIGNS FOR RUBBISH.** To place or leave any rubbish of any nature within any park, except where designated by official signs erected by the City.
- (6) **SIGNS AND BARRICADES.** To interfere with, break down, deface, remove, or cause to be interfered with, broken down, defaced or removed, any sign, guard, protection, barrier or barricade, placed in any park.
- (7) **POLICE OFFICER ORDERS.** To disobey or disregard the orders of any police officer when commanding any person to desist in a violation of any provision of this Chapter or the regulations prescribed by the Commission.
- (8) **TREES AND EQUIPMENT NOT TO BE CUT OR DEFACED.** To cut, mar or deface, in any way, trees, posts, benches, setees or any other property situated in any park.
- (9) **DISCHARGE OF FIREARMS PROHIBITED.** To discharge or cause the discharge of any missile from any firearm, sling shot or other weapon within 40 rods of any public park, park square or enclosure owned or controlled by the City, except any organization obtaining a permit from the Common Council.
- (10) **BEER, WINE AND INTOXICATING LIQUOR PROHIBITED.** To have in his or her possession, while in any park, any fermented malt beverages, wine or intoxicating liquor and/or to drink any fermented malt beverages or intoxicating liquor in any public park, (See exception 15.02 (10) (a) and (b)). It shall be

lawful for a person to traverse a public park without stopping while carrying unopened fermented malt beverages, wine or intoxicating liquor.

- (a) Racetrack Park shall be exempted from the provisions of this Subsection so that persons may possess fermented malt beverages or intoxicating liquor provided that said person has obtained the legal drinking age, the beverage is not in a glass container, and further provided that no one may possess any opened fermented malt beverages, wine or intoxicating liquor in Racetrack Park from the hours of 11:00 P.M. until 9:00 A.M.
 - (b) If a renter has rented the entire Racetrack Park, the renter may prohibit the possession of fermented malt beverages, wine, and intoxicating liquor in the Park or may prohibit the possession of fermented malt beverages, wine or intoxicating liquor not sold by the renter during the term of the rental period. A renter of either part or the entire Racetrack Park cannot prohibit the possession of fermented malt beverages, wine or intoxicating liquor sold by the Conservation Club in Racetrack Park. The renter of either part or the entire Racetrack Park must obtain the appropriate license prior to the sale of any fermented malt beverages and or wine.
- (11) **FISHING POND REGULATIONS.** All fishing in any pond within the City limits shall be in accordance with DNR regulations and otherwise under the direction of the Parks Committee who shall have the power and authority to enact regulations pertaining to fishing and when posted at or near said pond, shall become part of the Chapter. Swimming in any pond is prohibited within the City.
- (12) **LOITERING OR PARKING PROHIBITED.** To loiter in, or park any automobile or other vehicle in, any public park, bathing beach or swimming pool grounds or lands owned or controlled by the City.
- (13) **RIDING MOTORCYCLES PROHIBITED.** To ride or operate a motorcycle or other two or four wheeled motor driven vehicle on any grass covered surface in any public park in said City.
- (14) **BRIDGES OVER SAUNDER'S CREEK:** Jumping from bridges into Saunder's Creek is prohibited.

SECTION 15.03 BATHHOUSE, SWIMMING POOL AND FISHING POND REGULATIONS.

- (1) **HOURS.** The bathhouse and pool of the City of Edgerton will be open to the general public with lifeguards in attendance during the summer season, as specified and posted by the Park Commission. The pool and bathhouse will be closed as determined by the Commission and no person will be permitted in the area or in the pool or on the grounds owned and operated by the City as a public park for swimming and bathing during any hours when the pool and bathhouse are closed.
- (2) **TRESPASSING DURING CLOSED HOURS.** Any person entering or being in the swimming pool or trespassing in the immediate area of the bathhouse during closed hours will be considered a trespasser, and will be subject to the penalty provided in Section 15.04 of this Chapter.
- (3) **LIFEGUARD AND POLICE SAFETY ORDERS.** It shall further be unlawful for any person to disobey or disregard the orders of any lifeguard or police officer in the promulgation of the safety orders for the conduct of persons in said swimming pool and bathhouse and any person violating or refusing to obey the orders of said lifeguard or officer shall be subject to a forfeiture as provided by Section 15.04 of this Chapter.

SECTION 15.04 PENALTY.

Any person violating any provision of this Chapter shall forfeit not less than \$25.00 nor more than \$250.00, together with the costs of prosecution, and in default of payment of said forfeiture and costs of prosecution may be imprisoned in the Rock County Jail until such forfeiture and costs of prosecution are paid, but not to exceed 90 days or may have their drivers license suspended or the court may impose any other penalty as provided by State Statute.

UNIFORM FINES & PENALTIES

15.02(1)	Alter Park Property	15.04	\$250
15.02(2)	Speed in Excess of 10 mph	15.04	\$250
15.02(3)	Injure Trees or Shrubs	15.04	\$250
15.02(5)	Littering in Parks	15.04	\$250
15.02(6)	Interfere w/signs/barricades	15.04	\$250
15.02(8)	Cut/deface Trees	15.04	\$250
15.02(9)	Discharge Firearms	15.04	\$250
15.02(10)	Posses Alcohol	15.04	\$250
15.02(11)	Violate Fish Pond Regulations	15.04	\$250
15.02(12)	Park Illegally	15.04	\$250
15.02(13)	Motor vehicles Off Roadway	15.04	\$250
15.03	Violate Swimming Pool Rules	15.04	\$250

**CITY OF EDGERTON
ORDINANCE No. 21-06**

**A CHARTER ORDINANCE
TO AMEND SECTION 2.02 ELECTED OFFICIALS
OF THE EDGERTON CODE OF GENERAL ORDINANCES,
CITY OF EDGERTON ROCK AND DANE COUNTIES, WISCONSIN**

Aldersperson Casey Langan introduced the following Charter Ordinance and moved its adoption:

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

Section 2.02 (1) and (2) shall be amended as follows:

(1) MAYOR AND ALDERPERSONS.

(a) ELECTION AND TERM. The Mayor shall be elected ~~in even-numbered years~~ for a term of ~~2~~ 3 years. Two aldermen shall be elected from each aldermanic district, with 1 from each district to be elected each year for a term of 2 years. Such terms shall commence as provided by law.

(b) SALARIES. The annual salary paid to the Mayor and alderpersons shall be determined by resolution.

(2) MUNICIPAL JUDGE.

(a) ELECTION AND TERM. The Municipal Judge shall be elected in even-numbered years for a term of ~~2~~ 4 years as provided in Chapter 6 of this Municipal Code.

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

Seconded by Aldersperson: Jim Burdick

Roll Call: Ayes Noes

1st Reading: May 3, 2021

2nd Reading:

Christopher W. Lund, Mayor

3rd 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