

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

Monday, February 7, 2022 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 4, 2022
4. Council acceptance of agenda.
5. Personal appearances for non-agenda items limited to 3 minutes.
6. Minutes:
 - A. Consider approval of minutes from January 17, 2021 Council meeting.
 - B. Consider approval of minutes from January 27, 2022 Special Council meeting.
7. Public discussion regarding USDA Rural Development funding for South Main St.
8. Committee Reports:
 - A. Finance Committee:
 1. Consider approval of bills and payroll vouchers.
 2. Consider amendment to City of Edgerton Resolution 24-21B: 2022 Salary Resolution.
 3. Consider adoption of City of Edgerton Resolution 02-22: Approving budget transfers and amendments for the year ending December 31, 2021.
 4. Consider adoption of City of Edgerton Resolution 03-22: Authorizing the 2021 Property Tax Equivalent Charged to the Water Utility.
 5. Consider adoption of City of Edgerton Resolution 04-22: Approving the Assigned Fund Balance for the Year Ending December 31, 2021.
 6. Consider Supersized ED grant application for 6 W Fulton St.
 7. Consider Supersized Façade Grant for roof at 115 Henry St.
 8. Consider Supersized Façade Grant for second exit at 115 Henry St.
 9. Consider Supersized ED Grant for HVAC at 110 Henry St.
 10. Consider Supersized ED Grant for plumbing at 110 Henry St.

11. Consider Supersized Façade Grant for roof at 110 Henry St.
12. Consider Supersized Façade Grant for doors at 110 Henry St.
13. Consider Supersized Façade Grant for windows at 110 Henry St.
14. Consider Supersized ED Grant for flooring at 110 Henry St.
15. Award Bid for E Fulton St retaining wall replacement project.
16. Consider purchase of 2022 end loader.

B. Utility Commission:

1. Consider approving the second reading and adopting City of Edgerton Ordinance 22-01: Amend Chapter 12, Section 12.15(4)(j) "Swimming Pool Fills" and Section 12.015(5) "Policy for Leakage Adjustments to Water and Sewer Customers" of the Code of General Ordinances.

C. Fire District:

1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.

D. Redevelopment Authority:

1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.

9. Consider appointment of City Clerk.

10. Consider City of Edgerton Limited English Proficiency Language Access Plan

11. Mayor, alderperson and staff reports.

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.

**JANUARY 17, 2022 COMMON COUNCIL MEETING MINUTES
CITY OF EDGERTON**

Council President Candy Davis called the meeting to order at 7:01 p.m.

Present: Sarah Braun, Casey Langan, Candy Davis, Paul Davis, and Jim Burdick.

Excused: Mayor Lund and Tim Shaw

Others Present: City Administrator Ramona Flanigan, Clerk/Treasurer Cindy Hegglund, Police Chief Robert Kowalski, Library Director Kirsten Almo, Aquatics Director Anne Gohlke, City Attorney Bill Morgan, and a few citizens.

Hegglund confirmed the meeting agendas were properly posted on Friday, January 14, 2022 at the Post Office, Edgerton Library, City website, and City Hall.

ACCEPT THE AGENDA: A Sarah Braun/Jim Burdick motion to accept the agenda as printed passed, all voted in favor.

MINUTES: A Casey Langan/Paul Davis motion to approve the minutes from the January 3, 2022 Common Council meeting as corrected passed, all voted in favor.

COMMITTEES:

Finance Committee: A Sarah Braun/Paul Davis motion to approve the bills and payroll list in the amount of \$2,913,947.80 passed on a 5/0 roll call vote.

A Sarah Braun/Casey Langan motion to approve Matthew Rivers as the agent for the Towne Country Club liquor license passed on a 5/0 roll call vote.

A Sarah Braun/Casey Langan motion to approve the loan subordination for refinancing the bank loans on 351 and 401 W Fulton St passed on a 5/0 roll call vote.

A Sarah Braun/Jim Burdick motion to adopt City of Edgerton Resolution 01-22: Support of the North Rock River Drive Multipurpose Trail WISDOT 2022-2026 Transportation Alternatives Program (TAP) Application passed on a 5/0 roll call vote.

A Sarah Braun/Jim Burdick motion to approve the quote from In Depth Pool Service for the repairs to 2 existing swimming pool pumps and seals in the amount not to exceed \$10,965 passed on a 5/0 roll call vote.

A Sarah Braun/Jim Burdick motion to approve the purchase of window shades in the City Hall Council Chambers from Jim Edwardson passed on a 5/0 roll call vote.

Utility Commission: A Candy Davis/Paul Davis motion to introduce and approve the first reading of City of Edgerton Ordinance 22-01: Amend Chapter 12, Section 12.15(4)(j) "Swimming Pool Fills" and Section 12.015(5) "Policy for Leakage Adjustments to Water and Sewer Customers" of the Code of General Ordinances passed on a 5/0 roll call vote.

Being no other business before the Council, a Casey Langan/Candy Davis motion to adjourn passed, all voted in favor.

Cindy Hegglund/wl
City Clerk-Treasurer

Adopted February 7, 2022

**JANUARY 27, 2022 COMMON COUNCIL MEETING MINUTES
CITY OF EDGERTON**

Mayor Christopher Lund called the meeting to order at 5:00 p.m.

Present: Sarah Braun, Casey Langan, Candy Davis, Paul Davis and Tim Shaw.

Excused: Jim Burdick

Others Present: City Administrator Ramona Flanigan, Clerk/Treasurer Cindy Hegglund, Police Chief Robert Kowalski and Lisa Skar.

Hegglund confirmed the meeting agendas were properly posted on Wednesday, January 26, 2022 at the Post Office, Edgerton Library, City website, and City Hall.

APPOINTMENT OF CITY TREASURER: A Tim Shaw/Candy Davis motion to approve the appointment of Lisa Skar to the City Treasurer position passed on a 5/0 roll call vote.

Being no other business before the Council, a Candy Davis/Paul Davis motion to adjourn passed, all voted in favor.

Cindy Hegglund/wl
City Clerk-Treasurer

Adopted February 7, 2022

Memo

To: Common Council
From: Staff
Date: 2/4/2022
Re: February 7, 2022 Special Meeting

USDA RD S Main Funding: The sewer portion of the S Main Street utility reconstruction project is being partially funded with a USDA Rural Development loan and grant. The RD program requires the city hold a public meeting to allow residents to learn about the funding and the project.

The RD program will provide \$405,000 in low interest loan funds (1.75% interest rate) and \$219,000 in grant funds. The loan will be repaid on a 40-year amortization schedule. The total estimated cost for the sewer portion of the project is \$880,000. The project included the replacement of the sewer and water mains and partial replacement of service laterals. The project extended from Lord Street to approximately Hain Road and replaced 2,720 feet of sewer main.

Bids for E Fulton St retaining wall: The E Fulton Street retaining wall replacement is in the 2022 budget for \$155,000. The engineer's review of the bids is attached. The low bid is for \$159,170. Please note that the City took bids for this project last fall and received one bid that was submitted after the bid opening deadline. The bid was for \$142,294. This project will be funded by either the borrowing, capital surplus funds or TIF interest repayment.

Quotes for Loader: The 2022 Budget includes \$170,000 for a new front end loader. Staff contacted several vendors and received two quotes. The lowest responsible quote came from Miller Bradford and Riesberg, Inc. in the amount of \$181,500 - trade in value of \$42,000 for a net cost of \$139,500. Staff explored the recent sales of similar equipment to our current loader and prices were half of the proposed trade in value. Staff recommends trading in the 2006 front end loader and purchasing the new 2022 loader from Miller Bradford and Riesberg, Inc. for \$139,500.

Salary Resolution To address the division of the Clerk/Treasurer position into separate positions, the salary resolution must be amended. The attached amended salary resolution provides the wage ranges for the Clerk and the Treasurer in accordance with the wage study. The resolution also establishes the Treasurer's starting wage at the equivalent of an employee having 2.6 years of service to account for the new Treasurer's experience.

Appointment of City Clerk: In anticipation of the retirement of City Clerk Cindy Heggland, the Personnel Committee met in November of 2021 to discuss the promotion of administrative assistant, Wendy Loveland, to the City Clerk position. The Committee recommended Loveland's promotion to the Clerk position. If approved, staff recommends the effective date of the promotion be February 14, 2022.

Language Proficiency Plan: The USDA RD program requires the City adopt a plan to assist residents with limited English language skills in getting water/sewer service. The plan is included in your packet.

CITY OF EDGERTON ORDINANCE No. 22-01

AN ORDINANCE TO AMEND CHAPTER 12, SECTION 12.15 (4)(j) “SWIMMING POOL FILLS” AND SECTION 12.015(5) “POLICY FOR LEAKAGE ADJUSTMENTS TO WATER AND SEWER CUSTOMERS” OF THE CODE OF ORDINANCES

WHEREAS, the City of Edgerton has adopted certain regulations for the adjustment of water bills; and

WHEREAS, the City of Edgerton Utility Commission recommends the following modifications to the ordinance regulating the adjustment of water bills for pool filling and leak credits.

NOW, THEREFORE, the Common Council of the City of Edgerton, Wisconsin does hereby ordain as follows:

Chapter 12 Municipal Water Utility – section 12.15 (4)(j) Swimming Pool Fills and section 12.015(5) Policy for Leakage Adjustments to Water and Sewer Customers” shall be amended as follows:

12.15(4) Adjustments of Bills

12.15(4)(j) Swimming Pool Fills. Where a customer contacts the Utility to provide the water meter reading prior to, and after, filling a swimming pool, the Utility may provide a sewer credit for the quantity of water used to fill the pool. Failure to notify the Utility prior to commencing the pool filling may result in a denial of the credit. No more than one swimming pool fill credit shall be given in any calendar year. Pools less than 1,000 gallons are not eligible for a pool fill credit.

12.15 (5) Policy for Leakage Adjustments to Water and Sewer Customers

(a) Water Leakage Credits.

1. A customer of the Edgerton Municipal Water Utility may apply for a credit for water loss to offset a charge imposed in any one (1) billing period. To apply for a credit the customer shall:

a. Submit a written request for the credit to the Water Utility at City Hall within thirty (30) days of the charge for which a credit is desired.

b. For leak credit requests that are more than 50,000 gallons over the average usage, attach to the request a signed statement from a certified technician/contractor or licensed plumber containing the following information:

i. The location of the leak, to include a statement the leak occurred on the customer’s property.

City of Edgerton, WI Limited English Proficiency Language Access Plan

This Language Access Plan (LAP) is designed to assist staff of Edgerton to identify and better assist individuals with Limited English Proficiency (LEP). Title VI of the Civil Rights Act of 1964 prohibits discrimination based on national origin. These protections are further affirmed in Executive Order 13166. Services include providing written translation and oral interpretation, free of cost, to LEP residents to ensure meaningful, accurate, and equal access to programs, benefits and activities.

1.0 Identifying Individuals Who Need Assistance

Edgerton residents whose native language is not English and who may be limited in their ability to speak, read, write or understand English at a level that permits the residents to effectively interact with City officials are referred to as Limited English Proficient (LEP) individuals.

The first step is to identify residents with LEP who may need assistance. The City used the American Community Survey (ACS) five-year data sets in compiling information about its residents. The ACS is a nationwide, continuous survey designed to provide communities with reliable and timely demographic, housing, social and economic data.

According to the 2015-2019 American Community Survey (ACS) five-year estimates, Edgerton has a population of 5,945 people; 5,389 identify as white, 336 identify as Hispanic, and 98 identify as some other race. The majority of the City's population speaks fluent English.

To date, City staff has not encountered any challenges communicating with individuals with LEP. However, the City recognizes this may not always be the case. It is the City's policy to ensure that no person is subject to prohibited discrimination based on national origin in any program receiving Federal and/or State financial funding assistance.

2.0 Language Assistance Measures

It is City policy to discourage the use of family members or friends (adult and/or minor children) as interpreters because this may violate the LEP individual's privacy and disclose confidential information. It is the City policy to inform all LEP residents of the right to free language assistance/interpreter services at no cost to the LEP resident.

If any staff members find themselves in a situation where they need to utilize an interpreter to communicate (exp., Spanish, Portuguese, German) in written format, verbal, or in person, the staff members should use the Google Language program on the computer or cellular telephone. Online Translation – options for Smart Phone/Desktop Services include:

- Google Translate
- Siri Translate

A Notice of Interpreter Poster will also be displayed at City's Office along with ISpeak cards.

3.0 Staff Training

City staff members responsible for contact with the general public are required to be knowledgeable about the LAP and how to provide services to residents that are LEP. Volunteers will be trained on how to use these online services properly, should there be a need in the future. The Clerk shall notify City staff when updates are made to the LAP.

4.0 Vital Document Translation

1.4% of the City's total population is defined as LEP. Therefore, the City is not required to provide translation services for vital records. However, an interpreter may be utilized to translate and provide free oral interpretation, if needed, for vital records.

5.0 Providing Notice to Limited English Proficiency (LEP) Persons

The City will provide notice to the public that language services are available and free of charge. A Notice of Interpreter Poster will be displayed at City Hall along with ISpeak Cards.

6.0 Monitoring and Updating the Language Access Plan (LAP)

Before training City staff annually, the Clerk shall update the LAP as needed. He/She will review the ACS data annually to ensure that the population information is accurate as listed within the LAP.