

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

**Monday, November 20, 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](http://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, November 17, 2023.
4. Council acceptance of agenda.
5. Public Hearing
  - A. Hear comments regarding the 2024 Proposed Budget Document.
  - B. Close the public hearing.
6. Consider adoption of City of Edgerton Resolution 29-23: Adopt the 2024 Annual Budget and Establish the 2023 Property Tax Levy for the City of Edgerton.
7. Personal appearances for non-agenda items limited to 3 minutes.
8. Minutes:
  - A. Consider approval of minutes from November 6, 2023 Council meeting.
9. Committee Reports:
  - A. Finance Committee:
    1. Consider approval of bills and payroll voucher.
    2. Consider Lead Lateral funding shortfall.
    3. Consider Baker Tilly contract for Auditing services.
    4. Consider addendum to Cedar Corp contract for Environmental Consulting Services for 407 N Main St.
    5. Consider payment to Graceful LLC for Marshview Ct property.
    6. Consider WWTP solar investment.
  - B. Library Board
    1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
  - C. Utility Commission:
    1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.

D. Parks Committee:

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

10. Consider Noon and 5:00 whistle.

11. Consider Trick or Treat hours.

12. Consider Mayor recommendation for Committee Appointments.

13. Mayor, alderperson and staff reports.

14. Closed Session Pursuant to Wis. Stat. 1985(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 property purchase and economic incentive.

and

Closed Session Pursuant to Wis Stat. 1985(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 PFAS claim against DuPont's 3M.

15. Return to open session and consider taking action on items discussed in closed session.

16. 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.

**CITY OF EDGERTON RESOLUTION No. 29-23**

**ADOPT THE 2024 ANNUAL BUDGET  
AND ESTABLISH THE 2023 PROPERTY TAX LEVY FOR THE  
CITY OF EDGERTON**

**WHEREAS**, the City of Edgerton prepared an annual budget for the 2024 fiscal year in accordance with Section 55-5 of the City of Edgerton Municipal Code; and

**WHEREAS**, the Common Council has reviewed the proposed revenues from all sources and the proposed expenditures for all purposes and has directed that the proposed budget be adjusted accordingly; and

**WHEREAS**, a public hearing on the 2024 Annual Budget was held on November 20, 2023 after due and proper notice of said hearing having been given in accordance with Wis. Stat. Section 65.90; and

**WHEREAS**, the Common Council has adopted certain resolutions relating to borrowing and levying irrevocable taxes sufficient to pay such borrowing; and

**WHEREAS**, it is necessary to levy a property tax in the amount of \$2,909,833 to fund the expenses of the City of Edgerton as presented in the 2024 Annual Budget;

**NOW THEREFORE, BE IT RESOLVED** by the Common Council of Edgerton, Wisconsin as follows:

1. That the 2024 Annual Budget, a summary of which is attached hereto and made a part hereof, be and is hereby approved.
2. By the adoption of this budget, the City Council hereby confirms that it is the intention of the Council to commit the 2023 and 2024 resources noted in the Refuse Collection Fund for the support of refuse collection operations and debt service related to refuse collection.
3. By the adoption of this budget, the City Council hereby confirms that it is the intention of the Council to commit the 2023 and 2024 resources noted in the Revolving Loan Funds for the purposes of 1) support of economic development, 2) support of the promotion of a diverse mix of employment opportunities, 3) support affordable housing, and 4) other expenditures that support business, economic development and housing of the City of Edgerton.
4. By the adoption of this budget, the City Council hereby confirms that it is the intention of the Council to commit the 2023 and 2024 non-donation revenues noted in the Library Fund for the purposes of 1) support of library operations, 2) support of debt service related to library operations, and 3) other expenditures that support library services of the City of Edgerton.
5. That the property tax is hereby levied and to be placed upon the 2023 tax roll as follows: General Fund \$1,936,885 of which \$219,342 is attributable to the Fire District; Refuse Collection Fund \$285,000; Debt Service Fund \$687,948 of which \$77,507 is attributable to the Fire District debt; and Capital Project Fund \$0.00.
6. That the City Administrator be and is hereby authorized to reduce or increase the expenditure amounts reflected in the 2024 Annual Budget through the transfer of funds between expenditure accounts within a budgetary function

level as authorized in Section 55-6 of the City of Edgerton Municipal Code provided the authorized expenditure limit of the General Fund is not exceeded and the 2024 Annual Budget is not increased.

Passed and adopted this 20th day of November, 2023

Motion by:

Seconded by:

Roll Call: Yeas: Noes:

\_\_\_\_\_  
Christopher W. Lund, Mayor

ATTEST:

\_\_\_\_\_  
Wendy Loveland, City Clerk

**City of Edgerton  
General Fund Budget Summary  
2024 Budget**

	2022 <u>Actual</u>	2023 <u>Estimate</u>	2023 <u>Budget</u>	2024 <u>Budget</u>	<u>% Increase 2022-2023</u>
<b>Revenues</b>					
Taxes	1,820,555	1,875,035	1,891,348	1,935,939	
Fire District Taxes	204,231	224,063	224,063	214,319	
Special Assessments					
Intergovernmental	1,383,146	1,399,575	1,383,281	1,560,897	
Licenses and Permits	162,102	171,909	119,650	119,400	
Fines, Forfeitures	46,697	36,500	36,000	36,000	
Public Charges	208,839	290,823	190,250	289,047	
Investment Income	36,116	139,532	18,989	43,809	
Miscellaneous	161,090	123,853	29,700	31,130	
Transfers from Other Funds	6,810	9,628	9,628	16,529	
Fund Balance Applied	-	-	-	-	
<b>TOTAL REVENUES</b>	<u>4,029,585</u>	<u>4,270,918</u>	<u>3,902,909</u>	<u>4,247,070</u>	3.9%
<b>Expenditures</b>					
Common Council	16,435	16,339	15,839	16,339	
Municipal Court	18,440	17,271	17,571	17,571	
Legal	46,515	40,875	41,875	42,383	
Mayor	2,713	2,713	2,713	2,713	
Administrator	68,660	71,437	72,094	73,938	
City Clerk	70,379	64,082	64,586	52,093	
Elections	7,785	4,657	4,800	8,300	
Accounting	107,534	128,698	119,981	122,533	
Independent Accting	36,251	36,000	35,000	36,000	
Finance	4,923	5,372	5,995	5,975	
Assessment	27,183	30,672	30,678	30,672	
City Hall	45,668	37,152	33,110	40,891	
Other General Govt	8,530	8,107	16,925	45,180	
General Government	<u>461,016</u>	<u>463,376</u>	<u>461,167</u>	<u>494,587</u>	-0.5%
Police Admin	221,395	205,619	238,219	216,188	
Police Patrol	1,026,940	1,069,750	1,033,451	1,157,070	
Police Training	2,938	6,246	4,749	6,737	
Police Celebrations	4,528	4,110	3,626	4,537	
Police Station	26,289	31,645	31,500	22,029	
Crossing Guards	18,733	17,969	17,321	17,936	
Fire Protection	235,797	246,794	243,063	236,319	
Bldg Inspection	75,118	85,000	31,000	36,000	
Weights and Measures	<u>1,200</u>	<u>1,200</u>	<u>1,200</u>	<u>1,200</u>	
Public Safety	1,612,938	1,668,332	1,604,130	1,698,016	6.6%

DPW Admin	103,886	102,591	102,751	83,708	
Engineering	23,784	3,660	3,000	3,000	
Muni Garage	69,520	55,711	50,684	55,656	
Mach & Equip	76,018	132,715	95,191	75,577	
Street Maintenance	282,316	315,426	311,359	459,112	
Snow/Ice Control	70,280	99,498	84,576	89,493	
Traffic Control	9,438	10,913	11,027	9,843	
Street Lighting	65,190	65,100	61,500	61,500	
Sidewalks	3,659	2,943	2,961	3,626	
Storm Sewers	2,360	11,963	11,963	10,172	
Parking Facilities	1,539	1,852	2,352	2,598	
Weed Control	<u>1,356</u>	<u>6,140</u>	<u>4,843</u>	<u>2,027</u>	
Public Works	709,347	808,512	742,207	856,313	14.2%
Animal Control	-	-	-	-	
Fassett Cemetery	96,048	83,648	88,761	85,676	
Other Cemeteries	<u>4,842</u>	<u>4,570</u>	<u>4,570</u>	<u>3,880</u>	
Health & Social Services	100,890	88,218	93,331	89,557	-3.7%
Library	439,287	459,622	480,202	482,119	
Veteran's Building	-	-	-	-	
Shared Ride Service	62,299	61,000	61,000	62,000	
Donations	-	-	-	-	
Depot	6,980	1,949	2,020	1,946	
Parks/Playgrounds	162,052	224,145	197,542	286,751	
Celebrations	13,054	12,915	12,437	13,292	
Concession Stand	22,061	28,151	19,204	22,455	
Pool	<u>180,781</u>	<u>197,688</u>	<u>177,820</u>	<u>186,219</u>	
Culture & Recreation	886,515	985,471	950,226	1,054,781	2.0%
Planning	38,240	37,856	39,348	40,316	
Zoning	-	218	100	100	
Downtown Renewal	12,956	12,900	12,200	12,900	
Economic Development	<u>65</u>	<u>88</u>	<u>500</u>	<u>500</u>	
Conservation & Development	51,261	51,062	52,148	53,816	14.6%
Transfer to Other Funds	-	-	-	-	
Other Finance Uses	73,596	144,923	-	-	
Debt Issuance Costs	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
Other Financing	73,596	144,923	-	-	
<b>TOTAL EXPENDITURES</b>	<u><b>3,895,563</b></u>	<u><b>4,209,894</b></u>	<u><b>3,903,209</b></u>	<u><b>4,247,069</b></u>	<b>3.9%</b>

### 2024 Levy Supported Funds

Fund	Levy
General Fund	1,717,543
Refuse Collection Fund	285,000
Debt Service Fund	610,441
Capital Project Fund	-
Fire District Levy	296,849
<b>Total Tax Levy</b>	<b>2,909,833</b>

**NOVEMBER 6, 2023 COMMON COUNCIL MEETING MINUTES  
CITY OF EDGERTON**

Mayor Christopher Lund called the meeting to order at 7:08 p.m.

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

Others Present: City Administrator Ramona Flanigan, City Clerk Wendy Loveland, Municipal Services Director Howard Moser, City Treasurer Maddie Deegan, Library Director Beth Krebs-Smith, Police Chief Bob Kowalski, and a few citizens.

Loveland confirmed the meeting agendas were properly posted on Friday, November 3, 2023 at the Post Office, Edgerton Library, City website, and City Hall.

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

**PERSONAL APPEARANCES:** Patrick Zimmerman, 206 W Rollin St, appeared to voice his concern with the noon and 5:00 whistle. He would like the siren to stop and read parts of the noise ordinance to the Council.

**MINUTES:** A Casey Langan/Tim Shaw motion to approve the October 16, 2023 Council meeting minutes passed, all voted in favor.

**COMMITTEES:**

**Finance Committee:** A Tim Shaw/Shawn Prebil motion to approve pay request #3 for the Quigley St Street and Utility Improvement Project in the amount of \$55,082.87 passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to approve the bills and payroll in the amount of \$438,513.11 passed on a 6/0 roll call vote.

A Tim Shaw/Shawn Prebil motion to approve the quote from 5 Alarm Flooring for the carpet replacement at the Library in the amount of \$5,831.48 passed on a 6/0 roll call vote.

A Tim Shaw/Shawn Prebil motion to approve a 2-year agreement with Key Benefits as a consultant for the OPEB Study in the amount of \$4,640 passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to approve an addendum to the Cedar Corporation contract for Environmental Site Assessment at 116 Swift St passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to approve an addendum to the Cedar Corporation contract for Lead and Asbestos Inspection Services at 116 Swift St passed on a 6/0 roll call vote.

Flanigan stated the Madison Region Economic Partnership is a publication that promotes development and business opportunities in Dane County and the surrounding area.

Langan questioned the value of this publication versus other marketing options.

Tim Shaw felt this would be a good opportunity to gauge if this form of advertising would benefit the city in marketing the business park and other development opportunities.

A Tim Shaw/Shawn Prebil motion to approve Option C from the Madison Region Economic Partnership subscription options in the amount of \$3,660 passed on a 5/1 roll call vote. Casey Langan voted against the motion.

A Candy Davis/Shawn Prebil motion to approve using an RFP process for the sale of Marshview Ct lot passed on a 6/0 roll call vote.

**Personnel Committee:** This amendment will clarify the required premium for the employee. The current policy indicates the employee is required to pay 7.3% of the premium cost, however due to how the insurance is structured this year, the employee portion is 12%. The new language will state the employee will pay for premiums in accordance with ETF rules but will always pay at least 7.3%.

A Candy Davis/Tim Shaw motion to approve an amendment to the Personnel Policy regarding Health Insurance passed on a 6/0 roll call vote.

**CLOSED SESSION:** A Casey Langan/Tim Shaw motion 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 WPPA contract. The motion passed on a 6/0 roll call vote.

A Casey Langan/Shawn Prebil motion to go into open session passed on a 6/0 roll call vote.

A Candy Davis/Jim Burdick motion to approve: the WPPA contract as presented; the side letter regarding reimbursement of side arms; and the MOU for the SRO passed on a 6/0 roll call vote.

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

Wendy Loveland  
City Clerk  
Adopted November 20, 2023



# Memo

**To:** Common Council  
**From:** Staff  
**Date:** 11/17/2023  
**Re:** November 20, 2023 Meeting

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**Budget public hearing:** The Council will hold the 2024 budget public hearing on Monday. No changes have been made since the last draft. Included in you packet is the resolution adopting the budget and the summary of levy supported funds.

**Lead lateral replacement funding shortfall:** The Water Utility applied for grant and low interest loan funding from the DNR Safe Drinking Water Fund (SDWF) to replace the remaining lead laterals. The Utility received the following award of grant funds:

- \$196,295 for private-side lateral replacement to cover a maximum of 25% of the costs
- \$203,688 for public-side lateral replacement to a maximum of 15% of the costs

The Utility also received low interest loan funds for costs not covered by grant funds. Interest rates on the loans are 1% for public side replacements and 0.25% for private side replacements.

Please recall the Water Utility applied for, and received, approval from the PSC to pay for up to 50% of the cost of the replacement of private-side laterals using rate payer funds. Had the Utility received private-side grant funds for 50% of the cost of the private-side replacements as opposed to 25%, the Utility would have all the funding needed to complete the project (50% grant and 50% loan). But because the private-side grant funding is limited to 25% of the cost, there is 25% funding gap. Based on estimated costs, this equates to approximately a \$206,388 shortfall. Assuming the City wishes to proceed with the removal of the remaining laterals, possible options to cover the shortfall are:

- The **City** would borrow the money to cover the shortfall from the SDWF at 0.25%. Using estimated costs, this would increase city debt payments by about \$10,500 per year. This would be added to the \$600,000 annual debt payment. This increase in debt service would increase taxes by approximately \$2 for every \$100,000 of assessed value.
- Use ARPA funds (not recommended if this eliminates the installation of solar which will reduce operating costs and preclude solar grant opportunities)
- Use City savings (not recommended given the interest rate currently being earned on savings compared to the loan interest rates)
- Use capital surplus funds
- Special assess property owners for 25% of the cost of private lateral replacement

The Utility Commission recommends completing the project and borrowing the funds.

**Solar Request for proposals:** Please recall the Council approved a contract with Upper 90 to prepare the request for proposals (RFP) and the scope of work for the installation of solar arrays at several city facilities. The RFPs are scheduled to be released in mid-December. Funding for this work is with ARPA funds.

The array proposed in the Energy Plan for the Wastewater Treatment Plant (WWTP) had a longer payback than the other facilities (24-30 years) primarily due to its western orientation. Upon further evaluation by Upper 90, the payback may actually be even longer due to the difficulty in constructing the ground mounted array on the steep slope. There are two alternatives that have the same costs but reduce the payback time. One option is to invest in a new Community Solar project Alliant Energy is constructing in Janesville. Investing in the Community Solar project would result in a payment to the city for the energy that is produced. Like with solar that is located at one of our facilities, the value of the investment can be measured in payback. The estimated payback for the Community Solar project is 11 years as compared to the array at the WWTP of 24-30 years.

The second option is to install an array at well #4 on Hain Road. Upper 90 is evaluating that option.

The Council should decide if we should include the array at the WWTP in the RFP or consider other options once the additional information is available.

**Graceful LLC Payment:** Please recall the city purchased the parcel on Marshview Court back from Graceful LLC. The city reduced the purchase price by \$1,000 due to the condition of the site. In the closing, the city offered to pay Graceful the full price (the additional \$1,000) if the owner of Graceful graded the site. The site has been graded, but after the agreed upon deadline. Should the City pay Graceful \$1,000?

**Baker Tilly Engagement Letter:** Baker Tilly has served as the city's auditors for many years. The attached engagement letter indicates that the City will hire Baker Tilly to perform auditing services for 2023. The last paragraph in Timing and Fees section (on page 8) indicates the services will continue from year to year. It has been 5 years since the city has approved this type of engagement letter and Baker Tilly requests the city approve a new engagement letter every 5 years.

**Cedar Contract for 407 N Main Street:** Following a meeting with the city, various departments of the DNR, city consultants, the party responsible for the contamination, and the potential developer, Cedar Corp put together a list of environmental services that will be needed to prepare the shoe factory site for redevelopment. Because the testing proposed in the contract is related to redevelopment, the party responsible for the contamination is not responsible to undertake or fund this testing. Staff believes the information gathered in this work would be needed for any redevelopment project so if a different project is proposed on the site, the information is still useful.

Task 1 in the attached, proposed contract relates to soils investigation. Task 1 will provide essential information to determine if we should undertake tasks 2-5. The contract allows for the City to cancel the services for later tasks if, for example, any of the test results indicate the site is not developable. In addition to the costs associated with the engineering services of Task 1, Task 1 will entail two different testing (drilling) operations for

which the city will contract directly. The estimated cost of the drilling is \$16,745. All of these costs are TIF eligible in the new TIF #11.

**Noon and Five o'clock whistle:** As the Council is aware, there has been a request to stop the operation of the noon and 5:00 whistle. Until a committee or the Council has an opportunity to consider the request, the whistle has been turned off. Please note this whistle is not part of emergency notification system. The meeting minutes from when this issue was discussed in 2017 are attached.

Some options the Council could consider regarding the operation of the whistle include:

- Do not change the whistle
- Operate the whistle at 5:00 only
- Modify the whistle so that it is quieter or blows for a shorter period. Estimated costs for this modification are unavailable at this point.
- Relocate the whistle, logically to an area farther away from residences. The two areas were considered in 2017, the cemetery and the west side industrial park. Estimated costs for this modification are unavailable at this point.
- Discontinue the whistle except for special occasions. Such as Saturdays or on the 4<sup>th</sup> of July, Memorial Day, etc.
- Discontinue the whistle.

**AUGUST 23, 2017  
PUBLIC WORKS COMMITTEE MEETING MINUTES  
CITY OF EDGERTON**

Davis called the meeting to order at 6:32 P.M. Committee members present were Debbie Olson, Jonathon Frey and Paul Davis. Also present were City Administrator Ramona Flanigan, Public Works Director Tom Hartzell, Alderperson Matt McIntyre, Candy Davis, and Mark Wellnitz.

Flanigan confirmed the agendas were properly posted on Friday, June 23, 2017 at the Post Office, Edgerton Library and City Hall.

**APPROVE MINUTES:**

A Frey/Olson motion to approve the June 27, 2017 Public Works Committee minutes passed, all voted in favor.

**DISCUSS NOON WHISTLE:**

For many years, the whistle in Central Park sounded at noon and 5:00 PM each day for five seconds. It has not been working because of a possible short in the wiring. Hartzell presented the options to repair or relocate the noon whistle. Options include \$500 to repair the whistle and leave it in its current location; \$16,500 to move to Fassett Cemetery; or \$3,000 to move it to the west side Industrial Park. Flanigan stated there have been complaints received when the whistle is working. A citizen submitted Facebook posts showing support in favor on continuing the use of the whistle.

Davis would like to have the whistle sound at 5:00 PM only to not disturb 2<sup>nd</sup> shift employees and children at noon. Olson noted that this whistle adds to the small town charm of our community.

A Frey/Olson motion to repair whistle as soon as possible in current location for \$500 with operation at noon and 5:00 PM passed on a 2/1 roll call vote.