

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

Tuesday, January 2, 2024 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 Thursday, December 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 of December 18, 2023 Council meeting.
7. Committee Reports:
 - A. Finance Committee:
 1. Consider approval of bills and payroll vouchers.
 2. Consider adoption of City of Edgerton Resolution 01-24: 2024 Salary Resolution.
 3. Consider Parkitecture contract for the Vet's Shelter at Central Park.
 - B. Fire District:
 1. Report on discussion and action taken at previous meeting.
 - C. Police Commission:
 1. Report on discussion and action taken at previous meeting.
 - D. Joint Review Board:
 1. Report on discussion and action taken at previous meeting.
8. Consider adoption of City of Edgerton Resolution 02-24: Resolution Opposing 2023 Senate Bill 691 Regarding the Creation of Urban Towns.
9. Consider second reading and adoption of City of Edgerton Ordinance 23-23: Ordinance to Amend Chapter 450 Zoning, Section 450-33E "Accessory and Land Use" in the Code of Ordinances.
10. Mayor, alderperson and staff reports.

11. Closed Session pursuant to Wis. Stat. 19.85(1)(c) “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 and land sale.
12. Return to open session and consider taking action on items discussed in closed session.
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.

**DECEMBER 18, 2023 COMMON COUNCIL MEETING MINUTES
CITY OF EDGERTON**

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

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

Others Present: City Administrator Ramona Flanigan, City Clerk Wendy Loveland, City Treasurer Maddie Deegan, Municipal Services Director Howard Moser, Police Chief Bob Kowalski, City Attorney Bill Morgan and many citizens.

Loveland confirmed the meeting agendas were properly posted on Friday, December 15, 2023 at the Post Office, Edgerton Library, City website, and City Hall.

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

MINUTES: A Tim Shaw/Casey Langan motion to approve the December 4, 2023 Council meeting minutes passed, all voted in favor.

COMMITTEES:

Finance Committee: A Tim Shaw/Shawn Prebil motion to approve the bills and payroll in the amount of \$267,136.98 passed on a 6/0 roll call vote.

A Tim Shaw/Shawn Prebil motion to adopt City of Edgerton Resolution 35-23: Resolution Approving the Write-off of 2021 Delinquent Personal Property Taxes passed on a 6/0 roll call vote.

Staff confirmed that grant funds to any business on the list would be withheld until Personal Property Taxes are paid.

Plan Commission: A Paul Davis/Jim Burdick motion to introduce and approve the first reading of City of Edgerton Ordinance 23-23: Amend Chapter 450 Zoning, Section 450-33E: "Accessory Land Use" in the Code of Ordinances, City of Edgerton Rock and Dane Counties, Wisconsin passed on a 6/0 roll call vote. This amendment would add outdoor storage to the M1 district as an accessory use.

Personnel Committee: A Candy Davis/Jim Burdick motion to approve the amendment to the Personnel Policy Manual regarding pay practice for promoted employees passed on a 6/0 roll call vote. The amended policy would require a minimum 4% pay increase for promoted employees.

A Candy Davis/Jim Burdick motion to approve the creation of a Deputy Police Chief position passed on a 6/0 roll call vote.

Jackie Mich & Scott Heacock from Vandewalle & Associates presented information about the creation of TID No. 10 and TID No 11.

RESOLUTION 30-23: A Jim Burdick/Casey Langan motion to adopt City of Edgerton Resolution 30-23: Resolution Approving Tax Incremental District No. 10 passed on a 5/0 roll call vote. Candy Davis was muted and did not vote.

RESOLUTION 31-23: A Casey Langan/Jim Burdick motion to adopt City of Edgerton Resolution 31-23: Resolution Approving Tax Incremental District No. 11 passed on a 6/0 roll call vote.

RESOLUTION 34-23: A Tim Shaw/Shawn Prebil motion to adopt City of Edgerton Resolution 34-23: Resolution Regarding the Edgerton Municipal Energy Plan passed on a 6/0 roll call vote.

PSC ENERGY GRANT APPLICATION:

The office of Energy Innovation announced a new grant opportunity that could provide funds for the next step in the recommendations of the Energy Plan. Upper 90, the contractor that is preparing the Request for Proposals for the City's solar installation, provided a proposal describing the work that would be included in a new grant application. If this grant is applied for and awarded, the city would enter into a \$17,500 contract with Upper 90 to complete the next stage in implementing the energy plan.

A Casey Langan/Shawn Prebil motion to approve the PSC Energy Plant Application passed on a 6/0 roll call vote.

2024-2024 POLL WORKER APPOINTMENTS: A Tim Shaw/Jim Burdick motion to approve the 2024-2025 Poll Worker appointments passed on a 5/0/1 roll call vote. Candy Davis abstained. (see attached)

CLOSED SESSION: Casey Langan/Jim Burdick 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 land purchase and land sale. 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 Tim Shaw/Casey Langan motion to conduct a market survey for the 116 Swift St for a cost, not to exceed \$7,500 passed on a 6/0 roll call vote.

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

Wendy Loveland
City Clerk
Adopted January 2, 2024

Memo

To: Common Council
From: Staff
Date: 12/28/2023
Re: Jan 2, 2024 Meeting

Salary Resolution: Included in your packet is the annual salary resolution. The resolution includes the across-the-board wage increase approved as part of the budget process and the following changes:

- Establishing the wage ranges for the newly established deputy chief position
- Modifying the wage range for police lieutenants
- Establishing the wage for the limited term administrative assistant at City Hall
- Increase the low end of the wage range for the DPW and utilities lead operator positions to provide a greater wage difference between the operators and the lead operators.

Contract for schematic development plans for Veteran's Park shelter: The next step in the planning process for a shelter at Veteran's Park is the creation of the schematic drawings. This level of design will provide a list of materials and quantities needed to construct the shelter. A list of quantities is needed by the volunteers who will be seeking in-kind donations. Understanding what potential donations are available will be instrumental in determining if the project can be completed. The contract is with Parkitecture, the same firm who complete the conceptual study. The cost of the schematic design is \$15,532. Funding for this work could come from the Capital Surplus Fund or contingency funds in the 2024 General Fund budget.

CITY OF EDGERTON

RESOLUTION 02-24

**A RESOLUTION OPPOSING 2023 SENATE BILL 691 REGARDING THE
CREATION OF URBAN TOWNS**

WHEREAS, current law allows for villages and cities to determine the service area for their water and sewerage systems; and

WHEREAS, this statutory home rule power given to villages and cities to make their own decisions on public services is fundamental for many local communities to become incorporated; and

WHEREAS, 2023 Senate Bill 691 would require cities and villages to allow connection to their water or sewerage systems outside its boundaries to any town that is self-designated as a defined “Urban Town;” and

WHEREAS, 2023 Senate Bill 691 would define a town as an “Urban Town” if:

- The town has a population of more than 5,000;
- The town has a population density of 750 persons in any square mile;
- The town provides law enforcement service;
- The town has enacted a subdivision ordinance;
- The town has enacted a zoning ordinance or is subject to county zoning; and

WHEREAS, the water or sewerage system owner would be allowed to disapprove a request only if its water or sewerage system does not have sufficient capacity to serve the area that is subject of the request; and

WHEREAS, “Urban Towns” would not be subject to extraterritorial zoning or extraterritorial plat approval by a neighboring city or village; and

WHEREAS, “Urban Town” territory may not be annexed to a city or village except by unanimous approval of all the property owners of the property to be annexed; and

WHEREAS, villages and cities have made significant investments in their water and sewerage systems and depend on additional tax revenues created through the addition of properties to their jurisdictions which their utility services promote; and

WHEREAS, Senate Bill 691 does not require any minimum level of police service, rendering that criterion essentially meaningless as an indication of real urbanization, and the historical policy of directing development to incorporated municipalities that provide true urban levels of service promotes the public health, safety and welfare and should be continued; and

WHEREAS, Senate Bill 691 allows an urban town to designate the service area and may consume all reserve capacity of the existing city or village system, forcing city or village taxpayers or ratepayers to contribute the cost of new wells, water towers, and other major infrastructure improvements to meet their future needs that would otherwise be accommodated by the existing system capacities;

WHEREAS, Senate Bill 691 would make the urban town responsible for maintenance of the portion of the water or sewer system located in the town, but makes no provision assuring the urban

town will have the experience or ability to properly maintain a water or sewer system and creating a risk that inadequate maintenance would result in contamination of a municipal water system, excess treatment costs due to clearwater infiltration and inflow resulting in damage to the city or village system and excess costs to all ratepayers; and

WHEREAS, Senate Bill 691 provides no mechanism for collection of unpaid utility service charges owed by customers they would be forced to serve beyond their jurisdictions such as is available under §66.0809 for customers within the serving municipality nor any requirement that an urban town clerk pay over any amounts collected through special charges to the municipality to which they are owed; and

WHEREAS, Senate Bill 691 would allow an urban town to designate the point of connection to the city or village system with no requirement that such determination be made in accordance with sound engineering practices; and

WHEREAS, Senate Bill 691 would allow an urban town to impose maintenance responsibility for sanitary lift stations and other substantial improvements on a city or village by selecting a connection point that assures those improvements are located in the city or village; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Edgerton insists the Legislature and the Governor oppose 2023 Senate Bill 691; and

BE IT FURTHER RESOLVED, that the City of Edgerton Clerk is directed to send a copy of this resolution to the Governor of the State of Wisconsin, current representatives of the State Legislature, and the League of Wisconsin Municipalities.

Adopted at a regular meeting of the Edgerton City Council this 2nd day of January, 2024.

Motion by:

Seconded by:

Roll Call Yeas: Noes: 0

Dated: January 2, 2024

Christopher W Lund, Mayor

Wendy Loveland, City Clerk

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

**AN ORDINANCE TO AMEND CHAPTER 450 ZONING, SECTION 450-33 E “ACCESSORY
AND LAND USE” IN THE CODE OF 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 450, Section 450-33 E shall read as follows:

450-33 E Accessory land use

(30) Outdoor storage incidental to Light Industrial. Description: outdoor storage is any activity beyond loading and parking which is located outdoors. Examples of items included as outdoor storage incidental to light industrial include raw materials used in principal light industrial land use and finished products manufactured by the light industrial land use. 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 G(4) below.]

(a) Permitted by right: N/A.

(b) Permitted by right with additional special requirements: N/A.

(c) Conditional use regulations: M-1.

[1] All outdoor storage shall be screened by any permitted combination of buildings, structures, walls, landscaping and fencing. Such landscaping, walls and fencing shall be designed to screen all stored materials from view by providing a bufferyard having a minimum opacity of 0.3, except for storage adjacent to residential areas and streets which shall provide a bufferyard with a minimum opacity of 1.00. (see § 450-76).

[2] Outdoor storage area shall not exceed 25% of gross floor area of principal building on the site.

[3] The storage of items shall not be permitted in the following: permanently protected green space areas, required landscaped areas, or required bufferyards. (see §450-74).

[4] All outdoor storage shall comply with the setback requirements of accessory structures unless otherwise specified in this section.

[5] Outdoor storage shall not exceed 20 feet in height.

[6] In no event shall the storage of items reduce or inhibit the use or number of parking stalls provided on the property below the requirement established by the provisions of §450-37. If the number of provided parking stalls on the property is already less than the requirement, such storage area shall not further reduce the number of parking stalls already present.

[7] Outdoor storage areas shall be paved with a hard, all-weather surface such as asphalt or concrete, not stabilized limestone or gravel.

[8] Materials being stored shall not interfere in any manner with either on- or off-site traffic visibility.

including potential traffic/traffic and traffic/pedestrian conflicts.

[9] See §450-39F for recreational equipment standards.

[10] Shall comply with § 450-16 standards and procedures applicable to all conditional uses.

§ 450-91 Light Industrial District (M-1).

B (4) (c) [2] Outdoor storage incidental to light industrial [per§ 450-33E(30)].

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

Seconded by Alderperson:

Roll Call: Ayes: Noes:

1st Reading: December 18, 2023

2nd Reading: January 2, 2023

Published: January 10, 2023

Adopted: January 10, 2023

Dated: January 2, 2024

Christopher W. Lund, Mayor

Wendy Loveland, City Clerk

STATE OF WISCONSIN)

)ss.

COUNTY OF ROCK)

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 2nd day of January, 2024.

Wendy Loveland, City Clerk