

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

Monday, August 21, 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. 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, August 18, 2023.
4. Council acceptance of agenda.
5. Personal appearances for non-agenda items limited to 3 minutes.
6. Minutes:
 - A. Consider approval of minutes from August 7, 2023 Council meeting.
 - B. Consider approval of minutes from August 8, 2023 Special Council meeting.
7. Committee Reports:
 - A. Finance Committee:
 1. Consider approval of bills and payroll vouchers.
 2. Consider new Class "A" Combination Beer/Liquor License for Family Dollar Stores of Wisconsin, LLC, Agent Priscilla Santos.
 3. Consider transfer of 2022 General Fund surplus to the Capital Projects Fund.
 4. Introduce and approve the first reading of City of Edgerton Ordinance 23-21: Amend Chapter 200 Cemetery, Section 200-4 Cemetery Fund in the Code of Ordinances, City of Edgerton Rock and Dane Counties, Wisconsin.
 5. Consider City of Edgerton Resolution 24-23: Resolution Guaranteeing the Perpetual Care of the Fassett Cemetery and Cemetery Plots.
 6. Consider amendment to Edgerton Outreach Purchase agreement for 210 W Fulton St.
 7. Consider quotes for seeding athletic fields at RTP.
 8. Consider seeking quotes for Business Park land rent.
 9. Consider City of Edgerton Resolution 25-23: Authorizing a Signatory Municipality to Exceed the Levy Limit for the Lakeside Fire Rescue District.
 10. Consider quotes for VFD installation at Well 3.
 11. Consider declaring 2016 ToolCat as surplus and set minimum bid.
 12. Consider bids for W Hubert St paving.
 - B. Plan Commission:

1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
 2. Consider Extraterritorial land division for Sayre on Cnty Hwy N in Section 33 of the Town of Albion.
 3. Consider Extraterritorial land division for Backyard Properties on Cnty Hwy F in Section 9 of the Town of Fulton.
- C. Redevelopment Authority:
1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
 2. Consider façade grant amendment for 15 N Main St – auto parts store.
- D. Utility Commission:
1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
- E. Personnel Committee:
1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
8. Consider transfer of lot at 5 Albion St to Edgerton Community Outreach.
9. Mayor, alderperson and staff reports.
10. Closed 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.
11. Return to open session and consider taking action on items discussed in closed session.
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.

**AUGUST 7, 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, Tim Shaw, Paul Davis and Jim Burdick.

Others Present: City Administrator Ramona Flanigan, City Clerk Wendy Loveland, Municipal Services Director Howard Moser, Police Chief Robert Kowalski, City Treasurer Lisa Skar, Fire Chief Randy Pickering, City Attorney Bill Morgan and a few citizens.

Loveland confirmed the meeting agendas were properly posted on Friday, August 4, 2023 at the Post Office, Edgerton Library, City website, and City Hall.

ACCEPT THE AGENDA: A Candy Davis/Paul Davis motion to approve the agenda removing Closed Session passed all voted in favor.

MINUTES: A Casey Langan/Tim Shaw motion to approve the July 17, 2023 Council meeting minutes passed on a 6/0 roll call vote.

COMMITTEES:

Finance Committee: A Tim Shaw/Shawn Prebil motion to approve pay request #6 from BKS Construction Inc for the Henry St, Street and Utility Improvement Project in the amount of \$120,677.95 passed on a 6/0 roll call vote.

A Tim Shaw/Shawn Prebil motion to approve the bills and payroll in the amount of \$406,826.85 passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to approve the Public Event Packet for the Sleep in Heavenly Peace Bed Build on September 16, 2023 and waive all fees passed on a 6/0 roll call vote.

A Tim Shaw/Shawn Prebil motion to approve the quote from Millman in the amount of \$2,800 passed on a 6/0 roll call vote.

A Tim Shaw/Candy Davis motion to approve the quote for a conceptual plan for a shelter at Central Park from Parkitecture in the amount of \$5,850 and use \$4,534 from the Brown Endowment Fund and the balance from the Capital Surplus Fund passed on a 6/0 roll call vote.

A Tim Shaw/Shawn Prebil motion to approve the contract with Vandewalle & Associates for the creation of two TIFs in the amount of \$35,000 passed on a 6/0 roll call vote.

Public Works Committee: A Jim Burdick/Casey Langan motion to approve the second reading and adopt City of Edgerton Ordinance 23-14: Ordinance to Amend Chapter 334, Section 334-8 Placement of Refuse at Curb in the Code of Ordinances, City of Edgerton Rock and Dane Counties, Wisconsin passed on a 6/0 roll call vote.

A Jim Burdick/Casey Langan motion to approve the second reading and adopt City of Edgerton Ordinance 23-15: Ordinance to Amend Chapter 55 Finance and Taxation, Section 55-20 Special Assessments and Chapter 345 Streets and Walks, Sections 345-10 Construction and 345-30 Street Privilege Permit in the Code of Ordinances, City of Edgerton Rock and Dane Counties, Wisconsin passed on a 6/0 roll call vote.

PURCHASE AGREEMENT WITH GRACEFUL LLC: In a previous meeting the Council gave the purchaser until August 7th to produce a construction schedule and provide evidence of contracts to construct a building on the Marshview Ct lot. The deadline has passed and the owner has not produced

the required documents. The purchase agreement that was signed gave the city the option to purchase the land back if requirements were not met.

A Tim Shaw/Casey Langan motion to start the process to buy back the land on Marshview Ct from Graceful LLC passed on a 6/0 roll call vote.

MOU WITH DFD PROPERTIES: The Davis Dental Clinic is developing the land on the corner of Sherman Rd and Hwy 59. Staff has drafted a Memorandum of Understanding (MOU) for that development.

A Candy Davis/Casey Langan motion to approve the MOU with DFD Properties passed on a 6/0 roll call vote.

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

Wendy Loveland
City Clerk
Adopted August 21, 2023

**AUGUST 8, 2023 SPECIAL COMMON COUNCIL MEETING MINUTES
CITY OF EDGERTON**

Mayor Christopher Lund called the meeting to order at 6:30 p.m.

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

Others Present: City Administrator Ramona Flanigan,

Flanigan confirmed the meeting agendas were properly posted on Friday, August 4, 2023 at the Post Office, Edgerton Library, City website, and City Hall.

Flanigan stated, the agenda item being discussed is the changes to the Shared Revenue Act 12 legislation.

Act 12 provides an increase in revenue for municipalities. Shared Revenue is an ongoing revenue stream to assist municipalities in meeting the needs of its residents. Each municipality will see an increase of at least 20% with Act 12. The amount Edgerton will receive is just under \$200,000. This is not one time revenue opportunity, we should expect to receive this every year.

In prior years we have received stimulus money and the Council has been cautioned against using this money for reoccurring expenses. The Shared Revenue will be a continuous revenue stream and could be used for reoccurring expenses, such as staff and operating costs.

The use of these funds is pretty broad. Council and staff will need to discuss these funds during budget discussions. Certain requirements need to be met in regards to police, fire and EMS funding. Each municipality will be required to report to the state that those department's needs are being met and no services are being reduced.

A list of ideas for this increase in revenue was presented to the Council. Capital projects such as streets was discussed. Staff also discussed the needs of the various departments with the Department Heads and they felt the number of staff was adequate but would like to see some of the money allocated for staff retention.

Code enforcement was also a big issue. With the current staff, code enforcement seems to get neglected in lieu of other immediate concerns. A consultant that would do only code enforcement could be a way to utilize some of the funds available.

Currently our in-house staff has been trying to update our website. This is another task that gets pushed aside for other more immediate needs. Many other municipalities hire some one to build and update their websites. Some of the shared revenue could be used to hire a company to update and administer our city website.

The Fire District has made a request for a majority of the Shared Revenue from each of the municipal members of the district. A report was distributed to the Council on why the District is requesting those funds. Council members had concerns about some of the Fire District expenses and the long-term funding of those ideas.

Members of the Council stated they would like to prioritize street repairs, employee retention, website design, and code enforcement.

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

Wendy Loveland
City Clerk
Adopted August 21, 2023

TO: Plan Commission

FROM: Ramona Flanigan

MEETING DATE: August 8, 2023

GENERAL DESCRIPTION

Address: Cnty Hwy N, Town of Albion, Dane County, Section 33

Applicant: Sayer/Reynolds

Parcel Size: Approx. 3.22 sf

Description of Request: Move lot line between adjoining lots

STAFF REVIEW COMMENTS

Staff has reviewed the petition for planning issues in accordance with the Edgerton Master Plan and has the following comments:

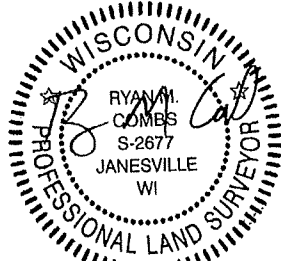
1. The proposed land division is within the City of Edgerton's extraterritorial zone. Therefore, the City has land division review authority.
2. The petitioner proposes to move a lot line between two lots to reduce the size of the lot with the farm structures and will not create any new lots.

STAFF RECOMMENDATION

Staff recommends the City Council approve the proposed land division.

CERTIFIED SURVEY MAP NO. _____

LOTS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 11361, RECORDED IN VOLUME 69, PAGES 25 THRU 28 OF CERTIFIED SURVEY MAPS OF DANE COUNTY, WISCONSIN, AS DOCUMENT NO. 4035489 AND LOCATED IN THE NW 1/4 OF THE SW 1/4 AND IN THE SW 1/4 OF THE SW 1/4 OF SECTION 33, T.5N., R.12E. OF THE 4TH P.M., TOWN OF ALBION, DANE COUNTY, WISCONSIN.

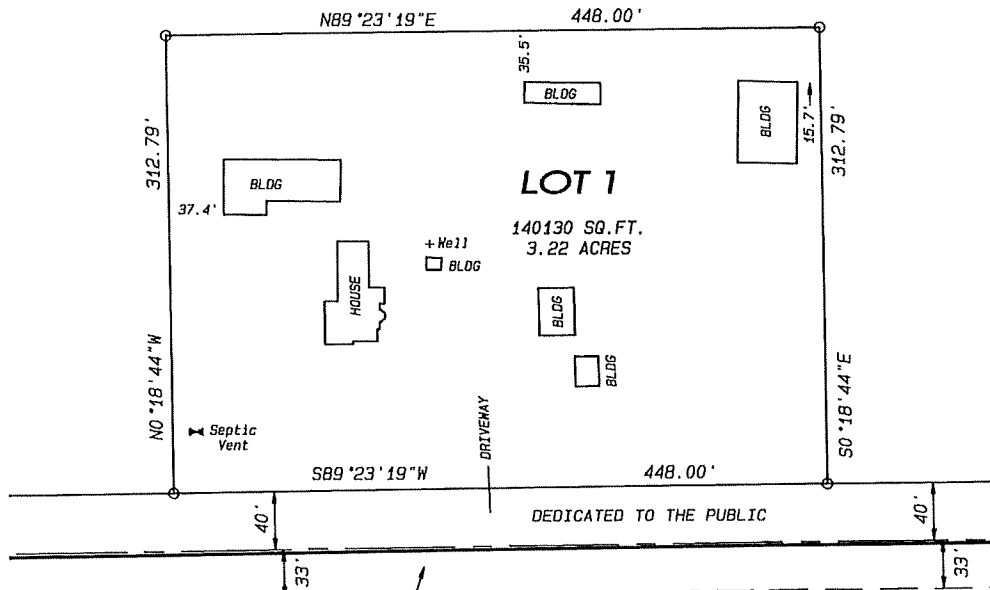


OWNER OF RECORD:
SAYRE FAMILY IRREVOCABLE TRUST
8203 N COUNTY HIGHWAY H
EDGERTON WI 53534

OWNER OF RECORD:
ROBERT REYNOLDS
3B COUNTY HIGHWAY N
EDGERTON WI 53534

LOT 2

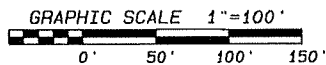
7-25-23



COUNTY HIGHWAY N

LEGEND:

- SET IRON PIN, 3/4" x 24", 1.5 LBS./LIN.FT.
- FOUND 3/4" IRON PIN
- ◎ FOUND 1" IRON PIPE
- ⊙ FOUND ALUMINUM MONUMENT
- FOUND CUT STONE
- x-x- FENCE



NOTE: FIELDWORK COMPLETED JULY 18, 2023.

NOTE: ASSUMED N0°18'44"W ALONG THE WEST LINE OF THE NW 1/4 OF SECTION 33-5-12.

NOTE: PLSS CORNERS AND TIES WERE LOCATED IN GOOD CONDITION AND FIELD VERIFIED.

NOTE: REFER TO BUILDING SITE INFORMATION CONTAINED IN THE DANE COUNTY SOIL SURVEY.

Project No. 122 - 557 For: SAYRE SHEET 1 OF 7 SHEETS



- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 W. Milwaukee St.
Janesville, WI 53548
www.combssurvey.com

tel: 608 752-0575
fax: 608 752-0534

TO: Edgerton Plan Commission

FROM: Ramona Flanigan

MEETING DATE: August 8, 2023

GENERAL DESCRIPTION

Address: 10248 Cnty Rd F, Fulton Township, Section 9

Applicant: Backyard Properties

Parcel Sizes: 18 acres

Description of Request: create 2 lots

STAFF REVIEW COMMENTS

Staff has reviewed the petition for planning issues in accordance with the Edgerton Master Plan and has the following comments:

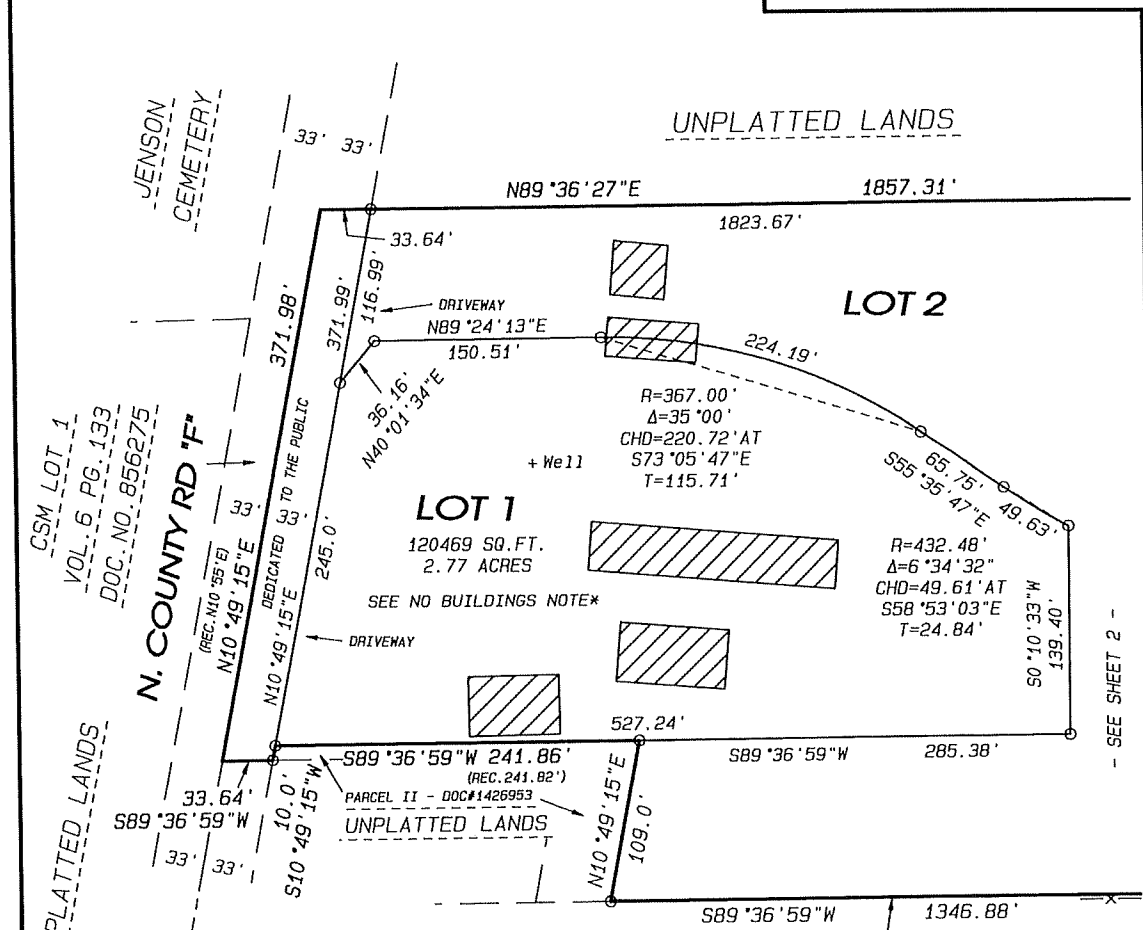
1. The proposed land division is within the City of Edgerton's extraterritorial zone. The petitioner proposes to create two lots that separate some of the existing farm buildings from the remainder of the lot. Please recall the petitioner previously proposed to separate the existing buildings from the remainder of the lot as shown in the current CSM, but also proposed to create 14 residential lots. This CSM provides street frontage on County F for Lot 2 that would allow the construction of a public street at some point in the future.
2. The parcel is located south of, and adjacent to, Fassett Cemetery. It could be annexed to the city as it is contiguous to the city.
3. The parcel is zoned and planned for commercial use by the Town of Fulton.
4. The city's comprehensive plan recommends this parcel be developed in the city as part of a planned neighborhood. The provision of municipal services is an important factor in a decision about whether the parcel develops in the City or in the Town. The distance between the closest existing city sewer and water mains and the proposed subdivision is significant, making the extension of services very expensive.

STAFF RECOMMENDATION

Staff recommends the Plan Commission recommend approval of the proposed CSM to separate the buildings from the remainder of the parcel with the condition that the building that is located on the proposed lot line be removed or relocated and the ROW is dedicated.

CERTIFIED SURVEY MAP

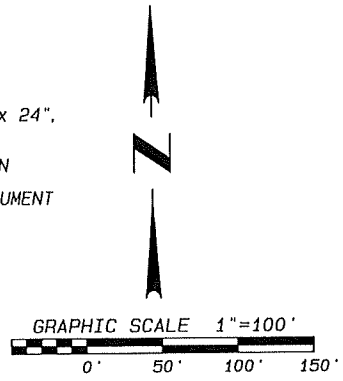
PART OF THE NW 1/4 OF THE SE 1/4 AND PART OF THE NE 1/4 OF THE SW 1/4 OF SECTION 9, T.4N., R.12E. OF THE 4TH P.M., TOWN OF FULTON, ROCK COUNTY, WISCONSIN.



WESTERLY EXTENSION SOUTH LINE OF THE NW 1/4 OF THE SE 1/4 OF SECTION 9-4-12, PER DOCUMENT NO. 2204174

LEGEND:

- SET IRON PIN, 3/4" x 24", 1.5 LBS./LIN.FT.
- FOUND 3/4" IRON PIN
- ⊙ FOUND ALUMINUM MONUMENT
- FOUND CUT STONE
- x-x- FENCE
- BUILDING



NOTE: FIELDWORK COMPLETED _____
NOTE: ASSUMED N89°46'11"E ALONG THE SOUTH LINE OF THE SE 1/4 OF SECTION 9-4-12.

Combs & Associates
 • LAND SURVEYING
 • LAND PLANNING
 • CIVIL ENGINEERING

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 Janesville, WI 53548
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CERTIFIED SURVEY MAP

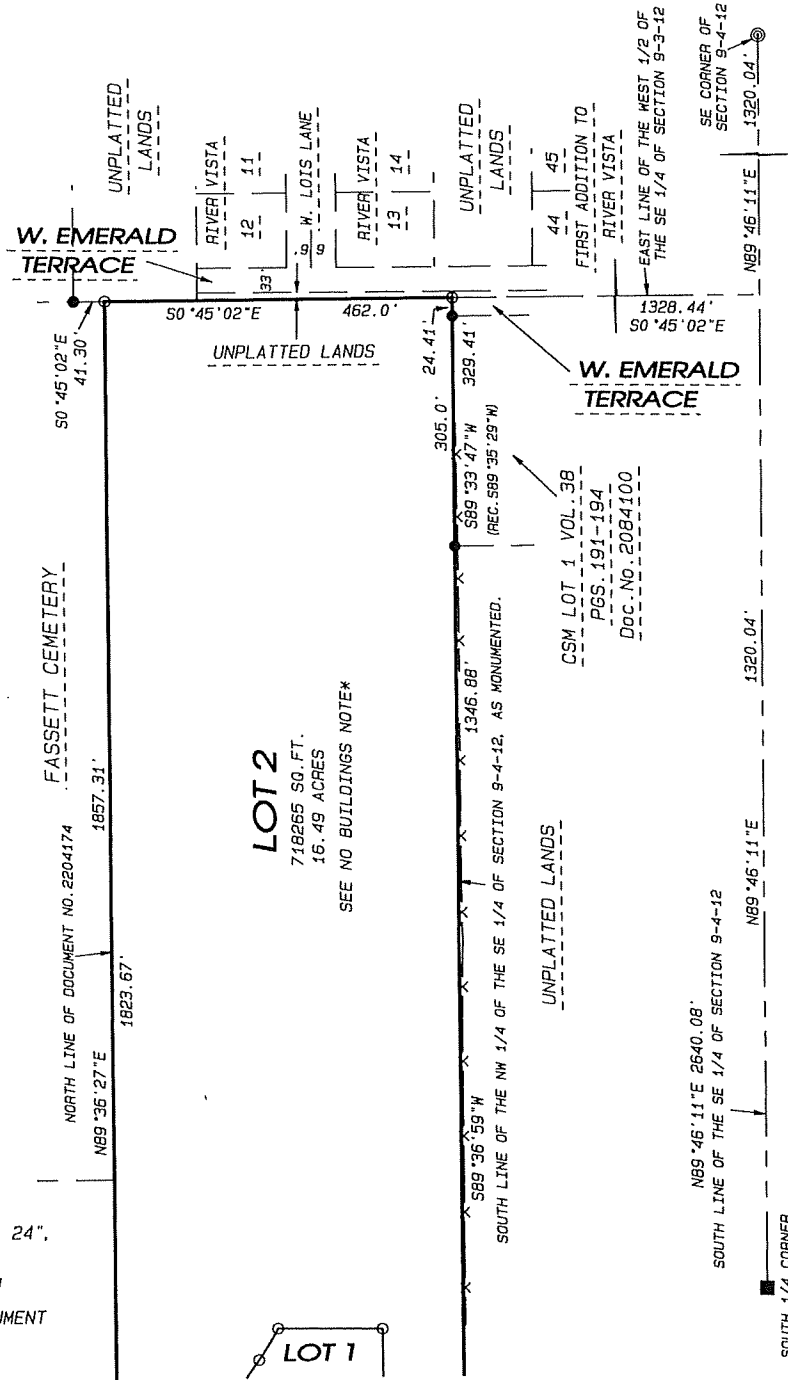
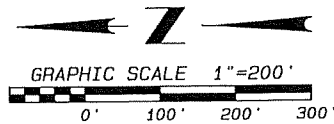
PART OF THE NW 1/4 OF THE SE 1/4 AND PART OF THE NE 1/4
OF THE SW 1/4 OF SECTION 9, T.4N., R.12E. OF THE 4TH P.M.,
TOWN OF FULTON, ROCK COUNTY, WISCONSIN.

*NOTE: NO BUILDING WHICH PRODUCES WASTEWATER ALLOWED ON LOTS 1
AND 2 UNTIL ACCEPTABLE MEANS OF WASTEWATER DISPOSAL IS APPROVED
BY THE NECESSARY GOVERNMENTAL AGENCIES.

LEGEND:

- SET IRON PIN, 3/4"x 24", 1.5 LBS./LIN.FT.
- FOUND 3/4" IRON PIN
- ⊙ FOUND ALUMINUM MONUMENT
- FOUND CUT STONE
- ⊙ FOUND 1" IRON PIPE

-x-x-x- FENCE



- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 W. Milwaukee St.
Janesville, WI 53548
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tel: 608 752-0575
fax: 608 752-0534

Memo

To: Common Council
From: Staff
Date: 8/18/2023
Re: August 21, 2023 Meeting

2022 General Fund surplus: The Council passed a policy in 2014 to consider the transfer of General Fund surplus generated each year to the Capital Projects Fund to be used for either capital equipment purchases or capital projects.

The \$144,923 that is recommended to be transferred this year is the surplus created in 2022 as per the audited financial statements less any newly designated funds plus projects that were completed in 2022 that used previously designated funds.

At this time, the Council should take action if you wish to transfer funds to the Capital Projects Fund. The actual use of these funds will be discussed at budget time. If the Council elects to make the transfer, the projected balance in the capital surplus fund as of today would be \$418,459.

Cemetery Fund: Please recall the council previously discussed the elimination of the cemetery fund that has been dormant for several years. All cemetery operations are accounted for in the cemetery fund. The resolution in your packets commits the city to care for the cemetery in the future and the ordinance removes language in the code requiring a separate cemetery fund be established. The balance of approximately \$21,573 is available with one idea discussed earlier being to use it to repair the cemetery fence.

Amendment to Outreach Development Agreement: The current agreement with Outreach for the redevelopment of 210 W Fulton St requires city funds be spent at the same rate as other funds. Most of the other funding sources for the project are grant programs that reimburse costs, they do not pay costs as they are incurred. This will cause a cash flow problem for Outreach at the beginning of the project. The proposed amendment allows city's TIF funds to be spent until grant funds become available after which time city funds and grant funds will be disbursed proportionately.

Seeding of athletic field at Racetrack Park: Council authorized the creation of an athletic field at Racetrack Park. The area has been graded but still needs to be seeded. Staff contacted several vendors and received three quotes ranging from \$10,900 to \$25,168. Staff recommends awarding this project to Tim Clark for \$10,900.00. This will include rototilling, fine grading and hydroseeding the 85,000 square foot area. There is \$7,500 designated for this project. The remainder could be funded with capital surplus or developer fees.

2024 Lease of Business Park Land: The farm lease of the undeveloped land in the Business Park expires in March 2024. The current tenant would like to know if they will be able to extend the lease to make decisions about fertilizer application this fall. Staff is aware of at least one other party who would like a chance to bid on the lease. The Finance Committee should decide if they wish to seek bids at this time?

Fire District Levy Limit Resolution: The Fire District is allowed to increase its charges to the municipalities by CPI plus 2% if all the municipalities in the District pass a resolution allowing for the increase. If the resolution is not passed or if the District's charges are greater than CPI +2%, then the City and the Fire District would "share" the City's allowable levy increase. Passing the resolution does not require the City use the levy limit exemption.

Variable Frequency Drive (VFD) Installation at Well # 3: The soft start for the vertical turbine pump at Well # 3 has failed making the well inoperable. Staff contacted Altronex and CTW for proposals to upgrade to a variable frequency drive. Staff received proposals from both vendors with the lowest responsible quote being from CTW to supply and install a new 125HP/169AMP VFD. The anticipated lead time for DNR approval is 4-5 weeks. Staff recommends awarding this project to CTW Wells & Pumps in the amount of \$15,560.00.

Surplus Equipment 2016 Toolcat: The City recently took delivery of a new 2023 Toolcat. Staff requests authorization to surplus the 2016 Toolcat with a minimum bid of \$11,000.

West Hubert Street Paving: On Wednesday, August 16th bids were opened for the asphalt mill and overlay of West Hubert Street. Two bids were received with the lowest responsible bid coming from Rock Road Companies. Staff recommends awarding the contract for the mill and overlay of West Hubert Street to Rock Road Companies, Inc. in the amount of \$24,974.00. Funding for this project will come the streets budget.

15 N Main St: The owner of 15 N Main Street received a \$7,200 façade grant to pave the gravel parking lot. Due to extra gravel for base material being needed, the project cost increased by \$2,717.11. Had this cost been included in the original estimate, the grant award could have been \$8,558.56. The owner is seeking an increase in the grant of \$1,358.56.

Transfer of 5 Albion St lot: Please recall the city purchased the vacant lot across from city hall to provide parking for Outreach's 210 W Fulton St project. Outreach is preparing to start the project and will need to fence the site making this an appropriate time to transfer the portion of the vacant lot the city owns to Outreach.