

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

Monday, October 17, 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, October 14, 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 October 3, 2022 Council meeting.
7. Committee Reports:
 - A. Finance Committee:
 1. Consider approval of bills and payroll vouchers.
 2. Consider waiving sign permit fees for Sterling North historic marker sign.
 3. Consider declaring squad car and welder surplus and setting minimum bid amount.
 4. Consider bids for W Fulton Street concrete work.
 - B. Utility Commission.
 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
 - C. Plan Commission:
 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
 2. Consider preliminary and final CSM for sale between adjoining property owners at 805 E Fulton Street for Henkel.
 3. Consider preliminary and final CSM to create one lot and one outlot for the City of Edgerton at 5 Albion Street.
 4. Consider extraterritorial land division for Miner on N. Arrowhead Shores Section 16 in the Town of Fulton.
 - D. Personnel Committee:
 1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.

2. Consider Personnel Policy Manual amendment regarding travel reimbursement and gratuities.

E. Library:

1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.
8. Consider second reading and adopting City of Edgerton Ordinance 22-06: Ordinance to Create a Sidewalk Utility.
 9. Consider City of Edgerton Resolution 19-22: Resolution Authorizing Execution of the Department of Natural Resources Principal Financial Assistance Agreement for the lead lateral project.
 10. Consider 2023 Budget.
 11. Mayor, alderperson and staff reports.
 12. 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 407 N Main Street.
 13. Return to open session and consider taking action on items discussed in closed session.
 14. 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.

**OCTOBER 3, 2022 COMMON COUNCIL MEETING MINUTES
CITY OF EDGERTON**

Mayor Christopher Lund called the meeting to order at 7:07 p.m.

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

Excused: Sarah Braun.

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

Loveland confirmed the meeting agendas were properly posted on Friday, September 30, 2022 at the Post Office, Edgerton Library, City website, and City Hall.

ACCEPT THE AGENDA: A Casey Langan/Jim Burdick motion to accept the agenda passed, all voted in favor.

PUBLIC HEARING: The Council held a public hearing to hear comments regarding the Sidewalk Utility Ordinance.

Hearing no comments, the Mayor closed the public hearing.

ORDINANCE 22-06: A Jim Burdick/Paul Davis motion to introduce and approve the first reading of City of Edgerton Ordinance 22-06: Ordinance to Create a Sidewalk Utility passed on a 5/0 roll call vote.

EQUIVALENT UNIT RATE FOR SIDEWALK UTILITY: A Tim Shaw/Jim Burdick motion to approve an equivalent unit rate of \$11 per year for the sidewalk utility passed on a 5/0 roll call vote.

MINUTES: A Paul Davis/Casey Langan motion to approve the minutes from the September 19, 2022 Common Council meeting passed. All voted in favor.

COMMITTEES:

Finance Committee: A Candy Davis/Tim Shaw motion to approve the bills and payroll in the amount of \$166,013.27 passed on a 5/0 roll call vote.

Candy Davis/Tim Shaw moved to approve raising the pool fees for 2023 as follows:

- Individual season passes for residents increase from \$40 to \$45
- Individual season passes for non-residents increase from \$60 to \$65
- Lap swim fee increase from \$1 to \$2

The motion passed on a 5/0 roll call vote.

A Candy Davis/Tim Shaw motion to approve a storm water credit for 210 W Fulton St in the amount of \$25.75 passed on a 5/0 roll call vote.

Personnel Committee: The current Personnel Policy requires an employee to work a total of 2080 hours in order to be eligible for a step increase. The city has several employees who work very few

hours per week. This would not allow those employees to receive a step increase for many years. This causes large discrepancies in wages over time. The Personnel Committee recommended amending the policy to allow employees to earn a step increase when they reach 2080 hours or 2 years after the previous step increase, whichever is earlier.

A Candy Davis/Jim Burdick motion to approve amending the Personnel Policy to require a step increase at the earlier of 2080 hours worked or 2 years after the previous step increase passed on a 5/0 roll call vote.

RESOLUTION 18-22: A Jim Burdick/Tim Shaw motion to approve City of Edgerton Resolution 18-22: Resolution Requesting Exemption from Rock and Dane County Library Tax passed on a 5/0 roll call vote.

Being no other business before the Council, a Candy Davis/Casey Langan motion to adjourn passed on a 5/0 roll call vote.

Wendy Loveland
City Clerk
Adopted October 17, 2022

Memo

To: Common Council
From: Staff
Date: 10/14/2022
Re: October 17, 2022 Meeting

Sterling North sign fees: The Sterling North Society wishes to install an historic monument on their property. The sign requires a conditional use permit which has a \$165 fee. The Society has requested the permit fee be waived.

Declare surplus: The police department is requesting the city declare the oldest squad car surplus and set the minimum auction bid amount at \$5,500. The Municipal Services Director requests the city declare a welder surplus and establish the minimum bid at \$1,000.

Personnel Policy Amendment: The Personnel Committee will consider the following amendments to the personnel policy manual:

- Increase meal reimbursement to \$10 for breakfast and \$15 per lunch with a total daily cap of \$45.
- Restrict city reimbursement of gratuity to those gratuities paid for meals.

Bids for W Fulton Street concrete work: In advance of the W Fulton Street reconstruction project next year, the city has to install a concrete stormwater "valley" across Spruce Street and some curb ramps. The city received one bid for the work from Johnson Brothers. The bid of \$30,315 is over the engineer's estimate of \$24,000. Given the timing of the project and the need to have this done before the DOT funded W Fulton Street starts next year, staff recommends the city accept the bid.

TO: Edgerton Plan Commission

FROM: Staff

MEETING DATE: October 17, 2022

GENERAL DESCRIPTION

Description of Request: Petition for approval of a preliminary and final 1 lot certified survey map to move a lot line

Location: 805 E Fulton St

Applicant: Henkel

Current Zoning/Land Use: R-3 / single family home

STAFF REVIEW COMMENTS

Staff has reviewed the petition for planning issues in accordance with the Edgerton Zoning and Land Division Ordinances and has the following comments:

1. The proposed land division moves the eastern boundary of the lot at 805 E Fulton Street 7 feet to the east adding approximately 1750 sf to the lot bring an existing building into compliance with setback regulations.

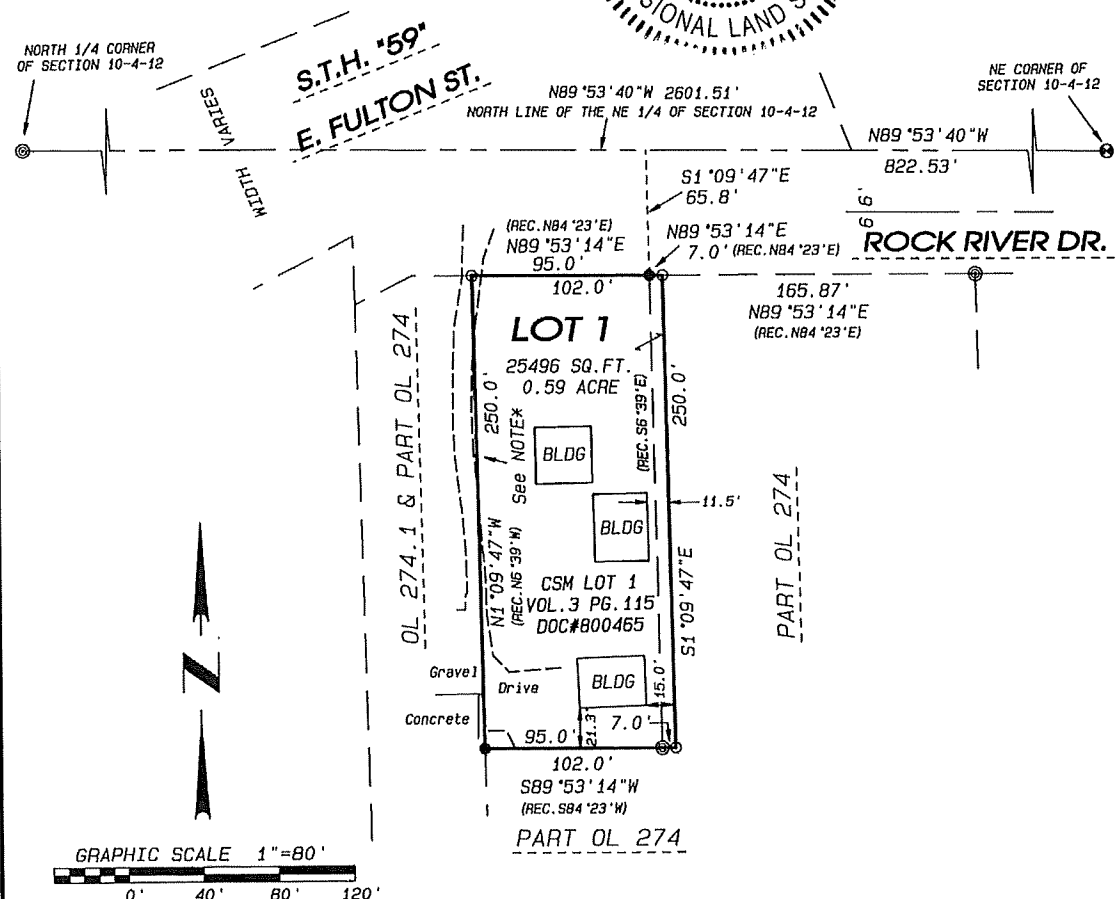
STAFF RECOMMENDATION

Staff recommends the Plan Commission recommend approval of the proposed preliminary and final CSM to add 1,750 sf to 805 E Fulton St subject to the following conditions:

1. The final CSM indicates all easements.

CERTIFIED SURVEY MAP

LOT 1 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 3, PAGE 115 OF CERTIFIED SURVEY MAPS OF ROCK COUNTY, WISCONSIN, AS DOCUMENT NO. 800465; AND PART OF OUTLOT 274 OF THE ASSESSOR'S PLAT AND ALL BEING LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 10, T.4N., R.12E. OF THE 4TH P.M., CITY OF EDGERTON, ROCK COUNTY, WISCONSIN.



- 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 (BROKE)

NOTE: FIELDWORK COMPLETED SEPTEMBER 29, 2022.

NOTE: ASSUMED N89°53'40"W ALONG THE NORTH LINE OF THE NE 1/4 OF SECTION 10-4-12.

*NOTE: See document no. 836711 for agreement relating to City water & sewer services for adjoining property.

Combs & Associates

- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 W. Milwaukee St.
Janesville, WI 53540
www.combsurvey.com

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

TO: Edgerton Plan Commission

FROM: Staff

MEETING DATE: October 17, 2022

GENERAL DESCRIPTION

Description of Request: Petition for approval of a preliminary and final certified survey map to create one lot and one outlot

Location: 5 Albion Street (6-26-756)

Applicant: City of Edgerton

Current Zoning/Land Use: B-2 / vacant

Proposed Lot sizes: 2,830 sf lot 1 and 2,548 sf outlot 1

STAFF REVIEW COMMENTS

Staff has reviewed the petition for planning issues in accordance with the Edgerton Zoning and Land Division Ordinances and has the following comments:

1. The petitioner proposes to create one lot and one outlot. The petitioner intends to do the following: transfer lot 1 to the owner of 210/212 W Fulton Street to be developed as surface parking for that development; and to sell the outlot to an adjoining property owner. The outlot cannot be developed as it is land locked which is why it is given the outlot designation.
2. The lots comply with the lot bulk standards.

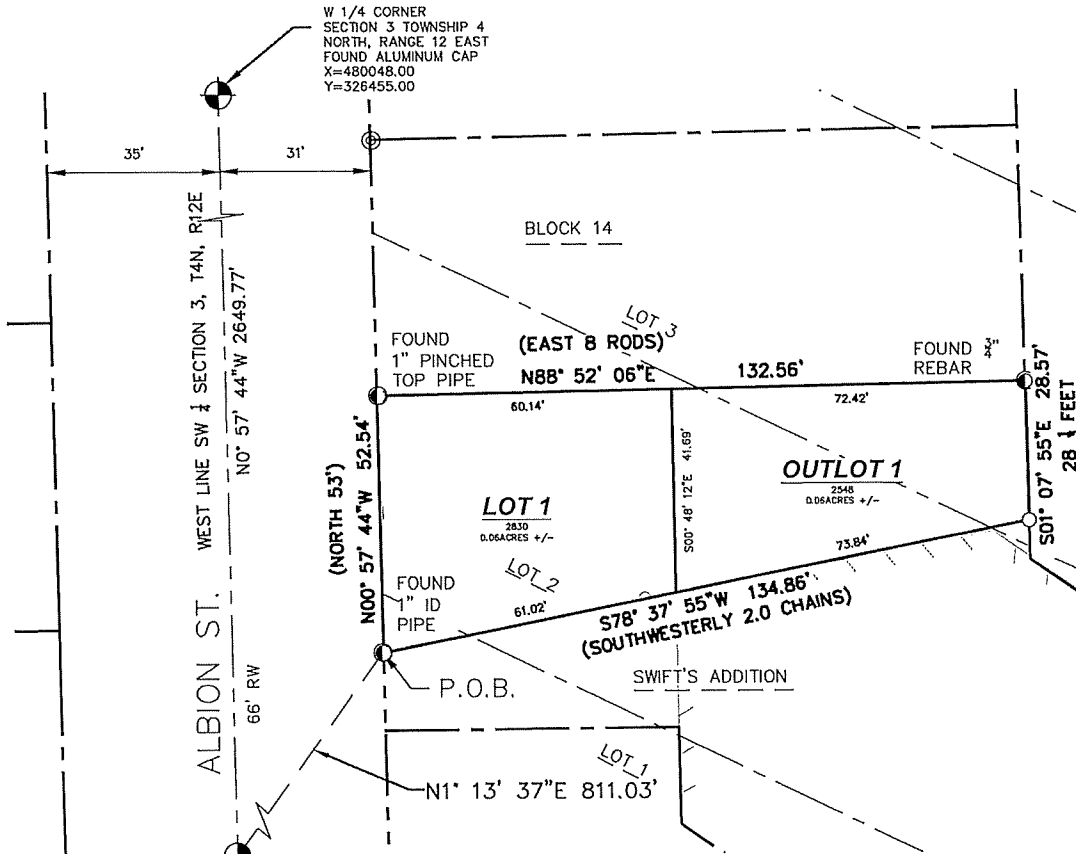
STAFF RECOMMENDATION

Staff recommends the Plan Commission recommend approval of the proposed preliminary and final CSM to create one lot and one outlot for the parcel located at 5 Albion Street subject to the following condition:

1. The final CSM indicates all easements.

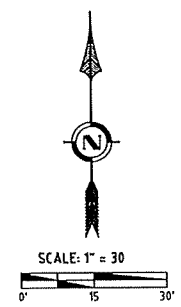
CERTIFIED SURVEY MAP NO. _____
 VOLUME _____, PAGE _____.

PART OF LOTS 1, 2, AND 3 OF SWIFTS ADDITION, SECTION 3,
 TOWNSHIP 4 NORTH, RANGE 12, EAST, CITY OF EDGERTON,
 ROCK COUNTY, WISCONSIN

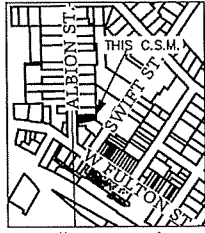


W 1/4 CORNER
 SECTION 3 TOWNSHIP 4
 NORTH, RANGE 12 EAST
 FOUND ALUMINUM CAP
 X=480048.00
 Y=326455.00

SW 1/4 CORNER
 SECTION 3 TOWNSHIP 4
 NORTH, RANGE 12 EAST
 FOUND ALUMINUM CAP
 X=480092.50
 Y=323805.60



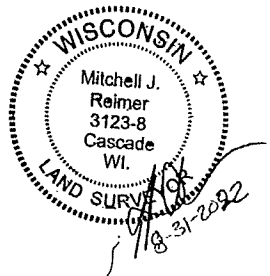
North is referenced to the West
 line of
 the SW 1/4, Section 3 T4 N R12E
 which bears N00°57'44\"/>



LEGEND

- Road Dedication
- Government Corner (As Noted)
- Found corner as noted
- Set 3/4" x 18" Rebar Weighing 1.502 Pounds/Lineal Foot
- Recorded As

NOTES:
 1. BASIS FOR THIS MAP IS PLAT OF SURVEY MAP #10181, AND TITLE PROVIDED BY CLIENT.



OWNER/PREPARED FOR:
 CITY OF EDGERTON
 12 Albion Street
 53534, WI 5334

Mitchell J. Reimer
 Cedar Corporation
 W61 N497 Washington Ave
 Cedarburg, Wisconsin 53012

TO: Edgerton Plan Commission

FROM: Ramona Flanigan

MEETING DATE: October 17, 2022

GENERAL DESCRIPTION

Address: N Arrowhead Shores Rd in Section 16 of the Town of Fulton

Applicant: Miner

Parcel Size: 29,900 sq ft

Description of Request: Approval of an extraterritorial certified survey map to combine existing lots.

STAFF REVIEW COMMENTS

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

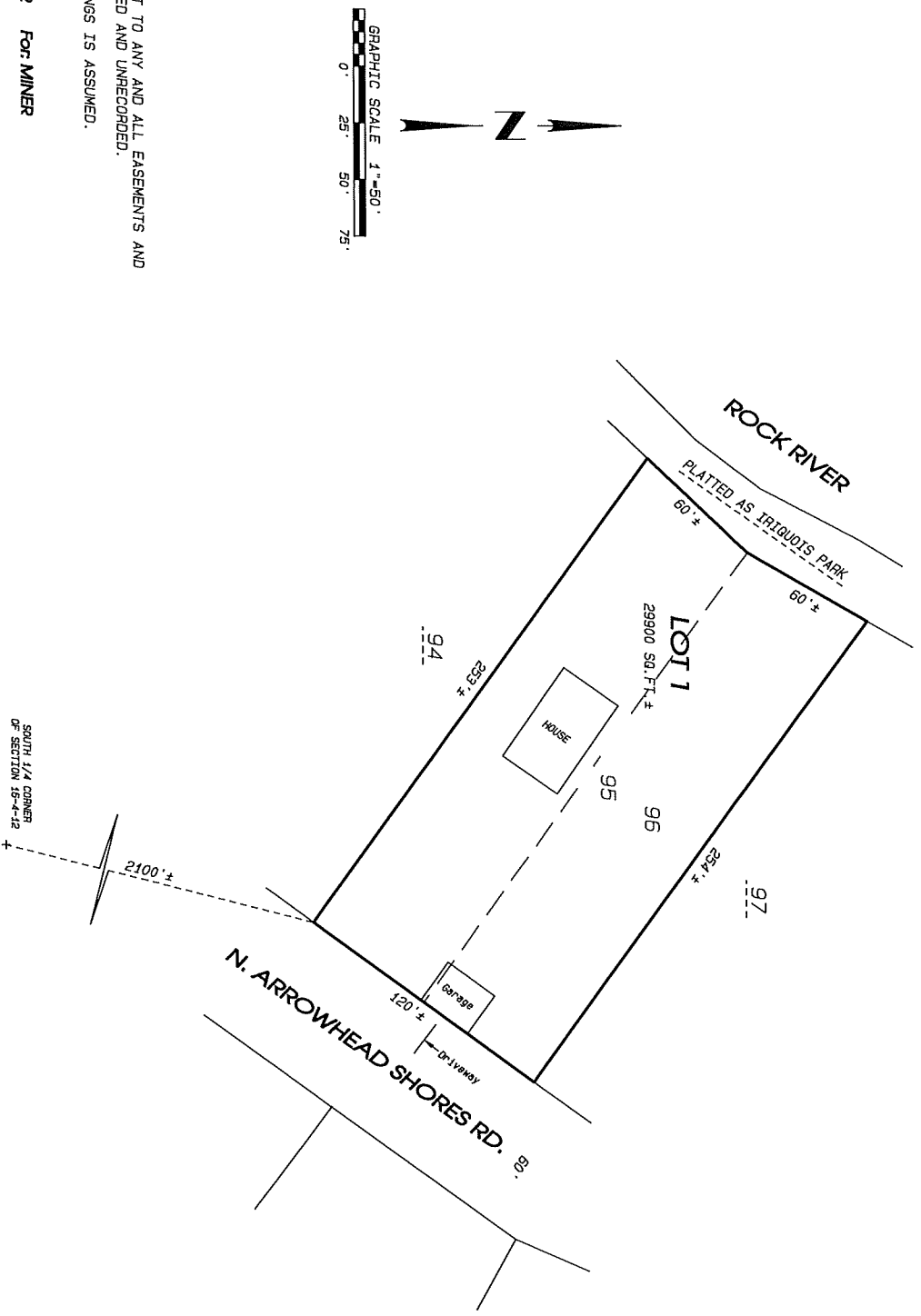
1. The proposed land division is within the City of Edgerton's extraterritorial zone. Therefore, the City has land division review authority.
2. The proposed land division combines 2 lots and does not create any additional lots.

STAFF RECOMMENDATION

Because the petitioner does not propose to create any additional lots with this land division, staff recommends the Plan Commission recommend the City Council approve the proposed land division.

PRELIMINARY CERTIFIED SURVEY MAP

LOTS 95 AND 96, ARROWHEAD SHORES ESTATE AND BEING LOCATED IN THE NW 1/4 OF THE SE 1/4 OF SECTION 16, T. 4N., R. 12E. OF THE 4TH P.M., TOWN OF FULTON, ROCK COUNTY, WISCONSIN.



NOTES:
 THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.
 THE BASIS OF BEARINGS IS ASSUMED.

Project No. 122 - 482 For MINER

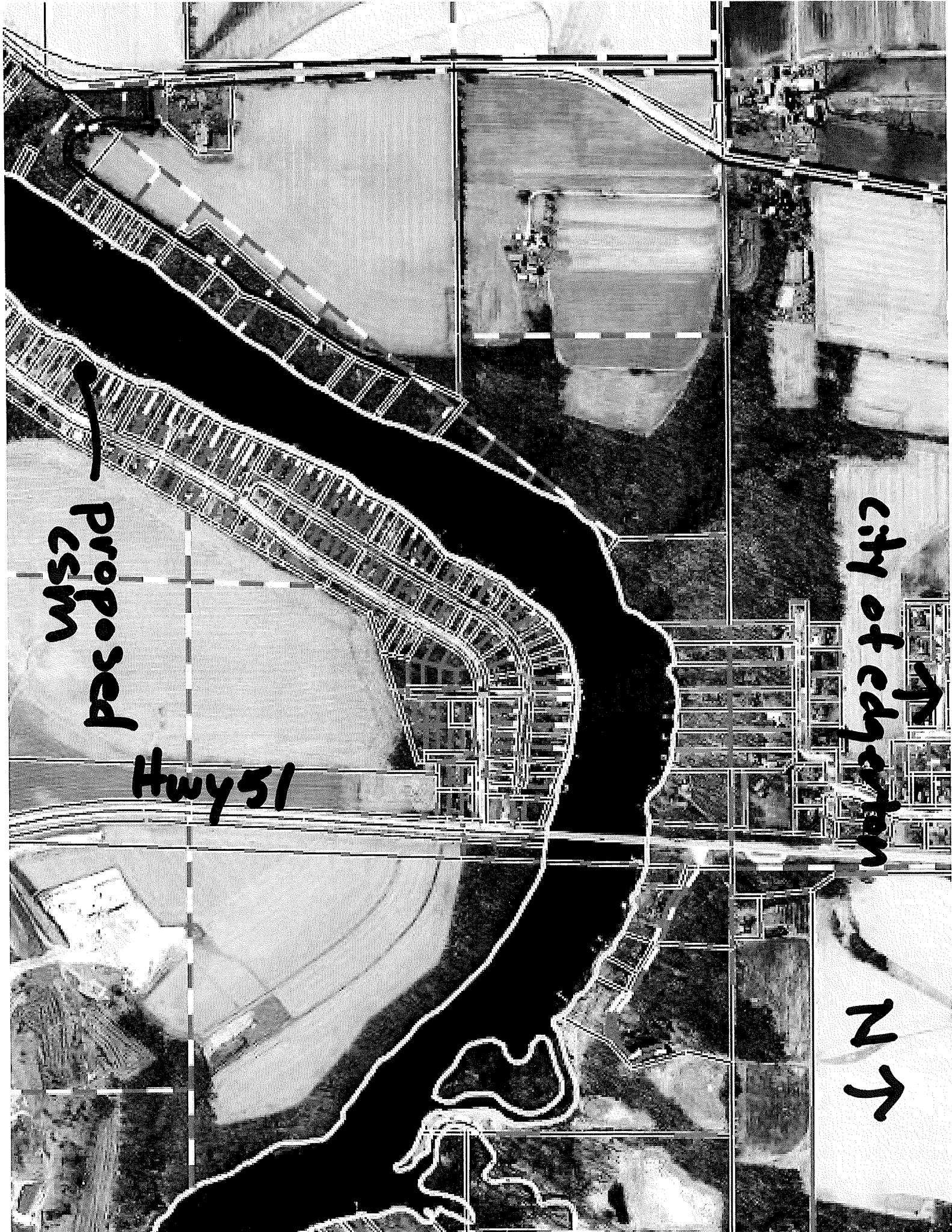
DATE: OCTOBER 4, 2022

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 WWW.COMBSURVINGY.COM

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 • LAND PLANNING
 • CIVIL ENGINEERING

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



proposed
CSm

Hwy 51

City of Edgerton

N

**CITY OF EDGERTON
ORDINANCE No. 22-06**

**AN ORDINANCE TO CREATE A SIDEWALK UTILITY 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:

Article IV Sidewalk Utility

- 366-60 Purpose and Necessity; Authorization.
- 366-61 Creation.
- 366-62 Authority.
- 366-63 Definitions.
- 366-64 Income and Revenue.
- 366-65 Rates and Charges.
- 366-66 Billing.
- 366-67 Payment of Charge; Lien; Penalty.
- 366-68 Customer Classifications.
- 366-69 Credits.
- 366-70 Appeal.
- 366-71 Alternative Method to Collect Sidewalk Charges.
- 366-72 Severability and Conflict with Other Ordinances, Laws.

366-60 PURPOSE AND NECESSITY; AUTHORIZATION

- A. Timely maintenance, construction and reconstruction of the city's public pedestrian transportation system ensures safe and efficient pedestrian travel throughout the city. A sound transportation system enhances livability, property values and economic vitality. A sidewalk utility provides a sustainable source of funds for the maintenance, construction and reconstruction of sidewalk and pedestrian oriented infrastructure under the jurisdiction of the City of Edgerton.
- B. The City Council reviewed funding options for pedestrian transportation system funding, including a sidewalk utility, and determined that establishment of a sidewalk utility with fees based on frontage is the most appropriate method to provide the necessary funds. The City Council further concluded that a sidewalk utility is the most equitable means to apportion the cost of pedestrian transportation system improvements.
- C. In creating this chapter, the city is acting pursuant to authority granted by Chapters 61 and 66 of the Wisconsin Statutes, including but not limited to [Wis. Stats.] §§ 61.34 and 66.0621.
- D. The City Council shall review the sidewalk utility at least every five years to evaluate the success of the activities funded and the appropriateness of the rate structure. The first review shall occur by or before December 31, 2027.

366-61 CREATION

There is hereby created and established a Sidewalk Utility within the City of Edgerton, effective _____ 2022. The entire operation, charge and management of the Sidewalk Utility are vested in the Common Council, pursuant to applicable State law. The Director Public Works shall supervise and manage the Sidewalk Utility as directed by the Public Works Committee.

366-62 AUTHORITY

The City, acting through the Sidewalk Utility, may, without limitation due to enumeration, acquire by gift, purchase, eminent domain, condemnation or otherwise, construct, lease, own, operate, maintain, improve, update, modify, extend, expand, replace, repair, manage, finance, borrow monies, assess and/or levy fees for such facilities, operations, maintenance and activities as are deemed, from time to time, by the City to be proper and reasonably necessary for a sidewalk system. These facilities may include, without limitation due to enumeration, sidewalks, ramps, retaining walls, multipurpose trails and such other facilities as will support a sidewalk management system.

366-63 DEFINITIONS

For purposes of this chapter, the following definitions shall apply. Words used in the singular shall include the plural, and the plural, the singular; words used in the present tense shall include the future tense; the word “shall” is mandatory and not discretionary; the word “may” is permissive.

Charge means the periodic or other fee imposed under this chapter for the rendering of sidewalk utility services by the City.

Developed Property

1. A certificate of occupancy has been issued for a building or structure on the property or, if no certificate of occupancy has been issued, upon substantial completion of construction or final inspection;
2. Construction of an improvement on the property is at least fifty percent (50%) completed and such construction has ceased for a period of at least three (3) months, whether consecutive or not;
3. Structures have not been constructed on the parcel but the improvements such as streets have been installed and the parcel could be sold for development without further division, but the parcel is not subject to a development agreement; or
4. The property has public sidewalk installed.

Director means the Director of Public Works or his/her designee.

Equivalent unit or EU is the basic unit by which a sidewalk charge is calculated under this chapter and is based upon the frontage as reasonably determined by the City. The term “EU” means the statistical average frontage of single-family homes within the City of Edgerton on the date of adoption of this Ordinance. One EU is established as 100 linear feet of frontage.

Duplex means any residential property having two dwelling units.

Dwelling unit means a room or group of rooms, designed or used as living quarters for one family only. Individual bathrooms and complete kitchen facilities, permanently, installed, shall always be included for each dwelling unit.

Frontage means the side of a lot abutting on a public street(s) or way(s)

Multifamily unit means any residential property comprised of three or more dwelling units.

Multi-use trail means transportation infrastructure that serves pedestrians and non-motorized vehicles including, but not limited to, inline skates and electric or pedal bicycles.

New sidewalk means the installation of sidewalk where no sidewalk was previously installed.

Nonresidential property means a lot or parcel of land, with improvements such as a building, structure, grading or substantial landscaping, which is not a residential property, excluding publicly-owned rights of way, recreational trails, and publicly-owned or privately-owned rail beds utilized for railroad transportation. This term includes mobile home parks. This term includes mixed use parcels that contain dwelling units and nonresidential uses.

Person means each and every property owner and includes, but is not limited to, natural persons, partnerships, corporations, limited liability companies, limited liability partnerships, joint ventures, and all other legal entities of whatever kind or nature.

Public Sidewalk (“Sidewalk”) means a paved pathway for pedestrians that is publicly owned located in a public right-of-way easement, that is maintained by the adjacent property owner.

Residential property means a lot or parcel of land developed exclusively for residential purposes, including single-family units, duplexes, and multifamily units. The term excludes transient rentals (such as motels and hotels) and mobile home parks.

Single family unit means any residential property consisting of one dwelling unit.

Sidewalk Utility means the City owned and operated utility established under this chapter for the purpose of managing public sidewalk related improvements and property and imposing charges for the recovery of costs connected with such sidewalk management.

Undeveloped property means real property that may have the following characteristics, but may have other traits that make it undevelopable: property that is not developed by the addition of an improvements such as a building, structure, impervious surface, grading, substantial landscaping; property that has not been platted for development; or property that cannot be developed due to constraints such as wetland. If the property has a public sidewalk, the parcel is considered developed and is subject to sidewalk utility charges.

366-64 INCOME AND REVENUE

The Sidewalk Utility finances shall be accounted for in a separate Sidewalk Utility Enterprise Fund by the City. All income and revenues shall be retained by the Sidewalk Utility Enterprise Fund. The Sidewalk Utility shall prepare an annual budget, which may include all operation and maintenance costs, debt service and other costs related to the operation of the Sidewalk Utility. The annual budget is subject to approval by the Common Council. The City shall require that adequate revenues are generated through user fees to provide for a balanced operating budget.

366-65 RATES AND CHARGES

- A. Every person shall pay the applicable Edgerton sidewalk charge when due for each property owned by that person.

- B. The basis for computation of the charge for sidewalk services to lots and parcels of land within the City is established under this section. The amount of charge to be imposed, the establishment of formulas for the calculation of charges, the creation of customer classifications for the imposition of charges, and changes in such charges, formulas and customer classifications shall be consistent with this Ordinance. All charges established pursuant to this Ordinance shall be fair and reasonable. A schedule of current charges shall be maintained and on file in the office of the City Clerk.
- C. Charges shall be imposed to recover all or a portion of the costs incurred by the Sidewalk Utility except for a portion of the construction of New Sidewalk.
- D. The Sidewalk Utility shall pay 50% of the costs of the installation of New Sidewalk. Costs for New Sidewalk not paid by the Sidewalk Utility shall be paid for by the property owner.

366-66 BILLING.

The Sidewalk Utility billing schedule shall coincide with the billing schedule for the Edgerton Water Utility. Sidewalk Utility charges shall be due and payable to the City Treasurer at the same time that the Water Utility bills are payable. Sidewalk Utility charges shall be mailed to the designated utility bill recipient. This mailing shall not relieve the owner of the property from liability for rental property in the event the payment is not made as required by this ordinance. The owner of the property served which is occupied by tenants shall have the right to examine collection records of the City for the purpose of determining whether such charges have been paid for by such tenants, provided that such examination shall be made at the office at which records are kept and during the hours that such office is open for business.

366-67 PAYMENT OF CHARGE; LIEN; PENALTY

- A. Sidewalk Utility charges shall be payable upon receipt, subject to the provisions of this section.
- B. Charges remaining unpaid for a period of twenty (20) days or more from the date of the utility bill shall be assessed a late payment penalty charge. The amount of the late payment charge shall be three percent of the bill, except a minimum charge of 30 cents shall apply. Late payment charges shall be applied to all customer classes and rate classifications. The Utility shall not waive any properly applied late payment charges. A late payment charge shall be applied only once to any given amount outstanding.
- C. If a charge and/or late penalty remains unpaid for a period of twenty (20) days after the date of the utility bill, such charge and penalty shall become a lien upon the real property to which it applies, as provided in Sections 66.0821 and 66.0809, and other applicable provisions of the Wisconsin Statutes, as from time to time amended or renumbered.
- D. Delinquent charges, administrative charges, and penalties shall be automatically extended upon the next available tax roll as a delinquent tax against the real property, and all proceedings relating to the collection, return and sale of property for delinquent real estate taxes shall apply to such charges.

366-68 CUSTOMER CLASSIFICATIONS

- A. The Common Council, from time to time, by budget adoption may establish classifications other than the customer classifications set forth in this Ordinance, as may be needed to provide a reasonable and fair distribution of the costs of the sidewalk utility to all users.

- B.** For the purpose of imposing and collecting the charges imposed under this Ordinance, all lots and parcels of real property (land) in the City shall be classified into the following customer classifications:
- (1) Residential – single family unit.
 - (2) Residential – duplex.
 - (3) Residential – multifamily
 - (4) Nonresidential.
 - (5) Undeveloped.
- C.** The Director shall prepare and maintain an updated current list of all lots and parcels of real property (land) within the City of Edgerton and assign the appropriate customer classification to each lot and parcel. This list shall include the number of EU's assigned to each lot or parcel.
- D.** The linear footage of frontage of the EU as of the date of adoption of this ordinance is hereby established to be equivalent to 100 linear.
- E.** The EU charges for the foregoing customer classifications shall be established as follows:
- (1) Residential – single family unit: 1.0 EU
 - (2) Residential – duplex: 0.5 EU per dwelling unit
 - (3) Residential – multifamily: 0.25 EU per dwelling unit
 - (4) Nonresidential with less than 100 linear feet of frontage: 1 EU
 - (5) Nonresidential with 100 linear feet or more of frontage: one EU for each 100 linear feet of street frontage. (For example: a property having 220 feet of frontage would have an EU of 3.)
 - (6) Undeveloped – no sidewalk charge shall be assigned to undeveloped land.
 - (7) Residential, developed parcels with no frontage: In accordance with E 1-3 above.
 - (8) Nonresidential, developed parcels with no frontage: 1 EU for lots whose narrowest parcel side is less than 100 linear feet; and 1 EU for each 100 linear feet of the narrowest parcel side if that side is greater than 100 linear feet.
- F.** The Director shall be responsible for determining the frontage based on the best available information, including, but not limited to, data supplied by the City Assessor, aerial photography, the property owner, tenant, or developer. The billing amount shall be updated by the Director in accordance with Section 366-66. Individual property owners may submit site and building surveys to the Director that help more accurately determine the total frontage.
- G.** All unoccupied, developed parcels shall be subject to the sidewalk utility charges.

366-69 CREDITS

- A. Credits may be available to individual nonresidential property owners. It shall be the burden of the nonresidential property owner to request such a credit and to demonstrate to a reasonable degree of certainty with evidence that a fee adjustment is warranted. All applications with an accompanying fifty (\$50.00) fee for credit shall be reviewed by the Director and the Director may reduce the measured frontage after taking into consideration the demonstrated justification. A denial or revocation of a credit may be appealed in accordance with Section 366-70.

366-70 APPEAL

- A. The amount of a particular sidewalk utility charge, the determination of the EU's or EU credits may be appealed to the Public Works Committee by filing a written appeal with the City Clerk prior to the due date of the charge or within thirty (30) days of payment. The written appeal shall specify all grounds for challenge to the amount of the charge and shall state the amount of charge that the appellant considers to be inappropriate. Failure to timely appeal waives all rights to later challenge the charge.
- B. In considering an appeal, the Public Works Committee shall determine whether the sidewalk utility charge is fair and reasonable under the particular facts and circumstances pertaining to that specific property and, in the event the appeal is granted, whether or not a refund is due the appellant and the amount of the refund. The City Clerk shall notify the appellant in writing of his/her determination.
- C. The customer has thirty (30) days from the date of the written decision of the Public Works Committee to file a written appeal with the City Council.
- D. If the Public Works Committee or City Council determines that a refund is due the customer, the refund will be applied as a credit towards the customer's next sidewalk billing charge, provided that the refund will not exceed the customer's next sidewalk billing charge, or it may be refunded in the form of a check at the discretion of the City Treasurer.

366-71 ALTERNATIVE METHOD TO COLLECT SIDEWALK CHARGES.

- A. The Common Council hereby finds and determines that the Sidewalk Utility charges established under this Chapter reasonably reflect the services rendered to real property and may be, and are hereby authorized to be, assessed, charged, levied, imposed and collected upon such property as a special charge in accord with all applicable Wisconsin Statutes.
- B. The mailing of the bill for sidewalk utility charges to a property owner shall serve as notice to the property owner that failure to pay the charges when due may result in the charges being levied upon the owner's applicable real property.
- C. In addition, the City may provide notice each October of any unpaid charges to the Sidewalk Utility and such charges, if not paid by November 15, may be placed upon the tax roll and collected in the manner provided by this Chapter and/or the applicable provisions of the Wisconsin Statutes. The collection method provided in this section is in addition to the collection method provided for in this Chapter.

366-72 SEVERABILITY AND CONFLICT WITH OTHER ORDINANCES, LAWS.

- A. In the event of any conflict between any provision set forth in this Chapter and any other City ordinance, the competing provisions shall be harmonized to the fullest extent possible so as to facilitate the intent and proper effect of the separate areas of regulation.
- B. If any section or portion thereof shall be declared by a court of competent jurisdictions to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections, or portions thereof of the Ordinance. The remainder of the Ordinance shall remain in full force and effect.

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

Seconded by Alderperson:

Roll Call: Ayes: Noes:

Christopher Lund, Mayor

Public Hearing: October 3, 2022

1st Reading: October 3, 2022

2nd Reading:

Adopted: October 17, 2022

Published: October 19, 2022

Dated: October 17, 2022

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 17th day of October, 2022.

CITY OF EDGERTON

Resolution No. 19-22

**Resolution Authorizing Execution of the
Department of Natural Resources
Principal Forgiven Financial Assistance Agreement**

WHEREAS, the City of Edgerton (the “Municipality”) wishes to undertake a project to replace private lead service lines at residences, pre k -12 schools and licensed and/or certified daycare centers, identified as DNR No. 4800-06 (the “Project”); and

WHEREAS, the Municipality has applied to the Safe Drinking Water Loan Program (the “SDWLP”) for financial assistance in the form of a loan made by the SDWLP to the Municipality of which all the principal will be forgiven at the time that loan disbursements are made to the Municipality, pursuant to the DNR Financial Assistance Agreement; and

WHEREAS, the SDWLP has determined that it can provide a loan with principal forgiveness in an amount up to \$651,000 that it has identified as being eligible for SDWLP funding;

NOW, THEREFORE, the City Mayor and City Clerk are authorized by and on behalf of the Municipality to execute the Principal Forgiven Financial Assistance Agreement that contains the terms and conditions of the SDWLP award for the Project. The Principal Forgiven Financial Assistance Agreement is incorporated herein by this reference.

Motion by:

Second by: Tim

Roll Call: Ayes: Noes: --

Dated: October 19, 2022

Christopher W. Lund, Mayor

ATTEST:

Wendy Loveland, City Clerk

Memo

To: Common Council
From: Staff
Date: 10/14/2022
Re: 2023 Budget

Below are some of the highlights of the 2023 budget.

Debt and borrowing and 10-year Capital Improvement Plan: The 10-year capital plan is attached.

In 2022, the City borrowed for those projects listed in the 10 year plan that are planned to be completed between now and 2025. In 2014, the City Council established a goal of maintaining an annual debt service payment of approximately \$600,000. This practice helps to stabilize the tax levy and support long term project planning. This procedure has also served to keep the City's overall debt low. State Statutes restrict the amount of debt cities can have. The current GO Debt is 15% of the state-imposed limit.

The debt service levy for next year will be \$610,501. Debt service is an exemption to the levy limit thus it does not impact funds available for operating.

Capital Items: The attached, updated schedule summarizes the capital projects and equipment that are included in this draft budget. The schedule also includes any notable modifications made to operating accounts.

Highway Aids: Highway aids were increased in 2020 and have continued to increase since then. The 2023 projected amount is \$63,027 over the 2019 amount. In prior years, the highway aid increase was allocated to the streets budget to increase funding for preventative maintenance. Given that the Council has prioritized street repair, the draft budget shows the increased expenses in the streets budget equal to the increase in highway aids. The Council is not required to spend this extra funding on street work and could reallocate these funds for another purpose.

Levy Limit: The levy limit law allows for an increase in the **operating** levy for new growth only. The City's maximum operating levy increase will be 0.73% or \$15,734 if the Fire District complies with CPI+2% and the City chooses to take the related levy limit exemption. If the Fire District budget does not comply with CPI+2% then the \$15,734 available to the city will be reduced by the Fire District's increase in their charges. The draft Fire District budget proposed a 9.7% increase in its levy request which complies with CPI+2%. The City's draft budget includes the council taking the

Fire District related levy limit exemption which adds the Fire District increase onto the City's levy.

Wages: The draft budget includes a 4% across the board wage increase based on a recommendation of the Personnel Committee. Please recall the city implemented a new pay plan last year that adjusted the wages of several options to better match the market and to provide for tenure increases. The draft budget accounts for those changes that were made last year.

Health Insurance and Retirement: The City's portion of the 2023 retirement costs will increase for general employees by 0.3% and increase by 1.20% for sworn officers. ETF health insurance will increase by 6.3% in 2023. Non-represented employees will pay 7.6% of health insurance premium.

Non levy Funds:

- Capital Surplus: Please recall the Council adopted a policy allowing the general fund surplus from the prior year to be used for capital projects. There is an estimated \$220,384 available for capital projects at the end of 2022 without accounting for any 2022 surplus.
- Parks Funds: The current balance in the developer fee account is \$77,561.

Schedule: Traditionally, the Council holds the public hearing for the budget at the second regular November meeting. Assuming that will be the case this year, the budget legal notice would have to be to the paper by Monday, October 31.

Summary: The current draft of the budget indicates an exceedance of the levy limit of \$29,384. Below are a few options to reduce the budget to bring it in compliance with the levy limit:

- Fund capital items having at least a 10-year life using capital surplus funds
- Fund either of the following using developer fees: funbrella and bleacher shade structure
- Use contingency for the increased costs associated with the SRO since this has not been confirmed by the school board
- Use ARPA funds for pedestrian improvements or bleacher shades
- Use increase in highway aids for other projects
- Delay capital items until next year
- Reduce wages

2023 Levy Supported Funds

<u>Fund</u>	<u>2022 Budget</u>	<u>Amended</u>	<u>Oct 17 Draft</u>
General Fund	\$ 1,598,365	\$ 1,598,365	\$ 1,682,839
Refuse Collection Fund	\$ 286,240	\$ 286,240	\$ 255,000
Debt Service Fund	\$ 610,542	\$ 620,170	\$ 610,501
Capital Project Fund	\$ -	\$ -	\$ -
Total City Tax Levy	\$ 2,495,147	\$ 2,504,775	\$ 2,548,340
Fire District Levy	\$ 194,602	\$ 204,230	\$ 204,230
Fire District Debt	\$ 70,570	\$ 70,570	\$ 67,274
Fire District Levy Exemption Increase	\$ 9,628		\$ 19,833
Total Fire District Levy	\$ 274,800	\$ 274,800	\$ 291,337
Total Tax Levy	\$2,769,947	\$2,779,575	\$2,839,677
Allowable Operating Levy Increase %			0.73%
Total Allowable Levy Limit	\$2,705,501	\$2,705,501	\$ 2,810,293
Over (Under) Levy Limit	\$ 54,818	\$ 74,074	\$29,384

OPERATING INCREASES (DECREASES)	CAPITAL EQUIPMENT	CAPITAL PROJECTS
DPW	DPW	DPW
Planer/Boxbroom rental \$ -	Tool Cat (1) \$ 40,000	Quigley Street (4) \$ 109,000
Tree inventory \$ 5,000		W Fulton (Hwy 59 to Dallman) (4 and 1) \$ 267,277
DPW Working foreman \$ 9,022		Henry St (3)
Stormwater	Stormwater	Stormwater
		Ladd Lane pond (5)
Cemetery	Cemetery	Cemetery
	60" Mower (1) \$ -	
Parks	Parks	Parks
	72" mower (1) \$ 7,000	Netting RTP \$ 10,000
	Picnic table RTP \$ 4,000	Bleacher Shade Structures RTP \$ 10,000
	Fibar chips \$ 2,000	RTP concession stand roof \$ 2,000
		Dog park water extension (1) \$2,500
Pool	Pool	Pool
	Automatic fill \$ 3,300	Diving boards anti-slip coating \$ 200
	Popcorn machine \$ 600	
	(2) Drains and inlets \$ 1,600	
	Grates \$ -	
	Rescue tubes \$ 350	
	Practice AED \$ 119	
	Lounge chairs 12 \$ 1,500	
	Funbrella \$ 6,000	
	Child cpr training manikin \$ 200	
General Government	General Government	General Government
City Hall internet \$ 1,200		
Library	Library	Library
	Computers 5 \$ 4,000	Roof replacement
	HVAC controls	Meeting Rooms (10) and (11) \$ -
	Furnace	
Police	Police	Police
School Resource Officer (25%) \$ 8,600	Door access control \$ 9,334	(2) Rapid Flashing ped lights (Hwy 51 or 59) \$ 15,000
	Hybrid patrol vehicle (1) \$ 35,000	2 Programmable flashing pedestrian sign \$ 3,200
		Speed detection sign S Main Street \$ 6,550
Refuse and Recycling	Refuse and Recycling	Refuse and Recycling
Brush grinding \$ -		

Note: does not include operating increases due to wages

- (1) Net of trade in or grant
- (2) funded with park improvement fees or advertising fees
- (3) TIF
- (4) borrowing
- (5) Stormwater Utility
- (6) partially paid by sewer and water utilities
- (7) Capital Surplus Funds
- (8) designated funds
- (9) Brown Fund
- (10) Grant/ARPA
- (11) Library Funds

City of Edgerton
Refuse Collection Fund
2023 Budget

Acct No	Account Description	2021 Actual	2022 9 Month Actual	2022 Projected	2022 Budget	2023 Proposed
REFUSE COLLECTION FUND 206						
EXPENDITURES						
206-53630-122	REFUSE COLL-WAGES	19,722	9,166	26,100	28,189	27,908
206-53630-123	REFUSE COLL-O/T WAGES	9,551	6,314	9,069	9,375	9,100
206-53630-125	REFUSE COLL-P/T WAGES	1,503	2,004	2,154	782	1,038
206-53630-151	REFUSE COLL-FICA	2,212	1,338	2,855	2,933	2,911
206-53630-152	REFUSE COLL-RETIREMENT	1,976	803	2,286	2,442	2,587
206-53630-153	REFUSE COLL-DENTAL INS	93	75	280	291	205
206-53630-154	REFUSE COLL-HEALTH INS	1,495	1,500	4,100	4,357	3,465
206-53630-155	REFUSE COLL-LIFE INS	23	11	45	53	55
TOTAL WAGES AND BENEFITS		36,576	21,211	46,888	48,422	47,268
206-53630-297	REFUSE COLL-CONTRACTED SERVICE	226,130	173,977	231,969	235,413	238,334
TOTAL PURCHASED SERVICES		226,130	173,977	231,969	235,413	238,334
206-53630-340	REFUSE COLL-OPER SUP/EXP	3	9,944	10,000	8,600	600
206-53630-380	REFUSE COLL-VEH MT SUP/EXP	-	-	-	-	-
206-53630-385	REFUSE COLL-VEHICLE FUEL	-	-	200	200	200
206-53630-390	REFUSE COLL-CLEAN SWEEP GRANT	3,000	3,000	3,000	3,000	3,000
206-53630-395	REFUSE COLL-COMPOST BINS FOR SALE	3,268	-	-	-	-
TOTAL OPER SUPPLY & EXPENSE		6,271	12,944	13,200	11,800	3,800
206-53630-510	REFUSE COLL-LIABILITY INS	1,042	1,063	1,063	1,094	1,075
206-53630-511	REFUSE COLL-WRKR COMP INS	1,197	1,030	1,030	1,151	965
206-53630-514	REFUSE COLL-AUTO INS	973	935	935	997	933
TOTAL FIXED CHARGES		3,212	3,028	3,028	3,242	2,972
206-53630-810	REFUSE COLL - CAPITAL EQUIPMENT	-	-	-	-	-
206-53630-820	REFUSE COLL - CAPITAL IMPROVMT	-	-	-	-	-
TOTAL CAPITAL OUTLAY		-	-	-	-	-
206-59100-900	TRANSFER TO GENERAL FUND	-	-	-	-	-
TOTAL TRANS TO GENERAL FUND		-	-	-	-	-
TOTAL REFUSE EXPENDITURES		272,189	211,160	295,085	298,877	292,375
REVENUES						
206-41110	GENERAL PROPERTY TAXES	274,428	286,240	286,240	286,240	255,000
TOTAL TAXES		274,428	286,240	286,240	286,240	255,000
206-43530	STATE AID - RECYCLING GRANT	16,371	16,329	16,329	16,300	16,300
206-43540	STATE AID-CLEAN SWEEP GRANT	-	-	-	-	-
TOTAL INTERGOVERNMENTAL		16,371	16,329	16,329	16,300	16,300
206-46421	RECYCLING BINS	2,020	-	-	-	-
TOTAL PUBLIC CHARGE/SERVICE		2,020	-	-	-	-
206-48400	INSURANCE RECOVERIES	-	-	-	-	-
206-49100	TRANSFER	-	-	-	-	-
TOTAL MISCELLANEOUS REVENUE		-	-	-	-	-
FUND BALANCE APPLIED						
TOTAL REFUSE REVENUES		292,819	302,569	302,569	302,540	271,300

City of Edgerton
Debt Service Fund
2023 Budget

Acct No	Account Description	2021 Actual	2022 9 Month Actual	2022 Projected	2022 Budget	2023 Proposed
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DEBT SERVICE FUND 300

EXPENDITURES

300-58100-612	PRINCIPAL ON NOTES	575,621	592,223	592,275	592,275	511,041
300-58100-613	PRINCIPAL ON CAPITAL LEASE	-	-	-	-	-
300-58100-614	FIRE DIST PRINCIPAL & INT ON DEBT	63,278	70,570	70,570	70,570	-
300-58200-622	INTEREST ON NOTES	66,537	31,627	50,306	50,305	99,458
300-58200-623	INTEREST ON CAPITAL LEASE	-	-	-	-	-
300-58200-691	DEBT SERVICE FEES	-	-	-	-	-
300-59201-900	PYMT TO REFUNDING AGENT	-	-	-	-	-
TOTAL DEBT SERVICE EXPENDITURES		705,436	694,420	713,151	713,150	610,499

REVENUES

300-41110	GENERAL PROPERTY TAXES	610,112	610,542	610,542	610,542	610,501
300-41115	FIRE DISTRICT PROPERTY TAXES	63,278	70,570	70,570	70,570	-
300-49120	PROCEEDS LONG TERM NOTES	-	-	-	-	-
300-49150	PREMIUM ON LONG-TERM DEBT	-	-	-	-	-
300-49210	TRANSFER FROM GENERAL FUND	-	-	9,628	-	-
300-49225	TRANSFER FROM TID #5	-	-	-	-	-
300-49226	TRANSFER FROM TID #6	-	-	-	-	-
300-49227	TRANSFER FROM TID #7	32,049	22,409	22,409	32,038	-
FUND BALANCE APPLIED		-	-	-	-	-
TOTAL DEBT SERVICE REVENUES		705,439	703,521	713,149	713,150	610,501