

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

**Monday, December 5, 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](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, December 2, 2022.
4. Council acceptance of agenda.
5. Public Hearing:
  - a. The Common Council will hold a public hearing to hear comments regarding special assessments for the Quigley Street project.
  - b. Close the public hearing
6. Consider adoption of City of Edgerton Resolution 25-22: Preliminary resolution declaring the City Council's intentions for the Quigley Street project to exercise special assessment police powers.
7. Personal appearances for non-agenda items limited to 3 minutes.
8. Minutes:
  - A. Consider approval of minutes from November 21, 2022 Council meeting.
9. Committee Reports:
  - a. Finance Committee:
    1. Consider approval of bills and payroll vouchers.
    2. Consider pay request #1 for Johnson Brothers for the Spruce St Improvement project.
    3. Consider purchase of transcription software for Police Department.
    4. Consider funding for Police Department body cams.
  - b. Fire District
    1. Report on discussion and action taken at previous meeting, future agenda items and upcoming scheduled meeting.

10. Consider second reading and adoption of City of Edgerton Ordinance 22-08: Amend Section 22.210 “Official Zoning Map” of the Edgerton Code of Zoning Ordinances to amend Wisconsin Dr Lot 1 (parcel #051234195102) and Gateway Ln Lot 4 (parcel #051235294002) in the Edgerton Business Park from M-1 Light Industrial District to M-2 General Industrial District.
11. Consider extension in the construction date for the purchase and sale agreement with Graceful LLC.
12. Mayor, alderperson and staff reports.
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.

# Memo

**To:** Common Council  
**From:** Staff  
**Date:** 12/2/2022  
**Re:** December 5, 2022 Meeting

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**Quigley Street:** Quigley Street is scheduled for rehabilitation in 2023. The project will consist of spot curb repair of existing curb; the replacement of sewer, water and street surface; and the installation of curb in the section of Quigley Street east of Rienhold Street that does not have curb. Based on the recent policy adopted by the Council, 50% of the cost of the new curb would be charged to the adjacent property owners through special assessments. There are four property owners that would be subject to the special assessments. The range of assessed costs is \$670-\$2,000 (the \$2,000 charge is for two parcels).

The City Council will hold a public hearing regarding special assessment charges to be made to the benefitting property owners for the project before considering the resolution in your packet. The resolution requires that the Council determine the interest rate, the minimum assessment amount that will be financed, and the number of years the owner will have to repay the special assessment. The most recent assessments that included curb and gutter were for Chaucer Street in 2018 and Henderson Street in 2020. The terms assigned to Chaucer Street special assessments were a 3.5% interest rate and a 10-year term, and Henderson Street assessments had a 2.5% interest rate and a 10-year term. The minimum payment to be financed was \$200.

**Graceful LLC Construction deadline extension:** Graceful LLC, purchased 1912 Marshview Ct. from the City on January 14, 2022. In the Purchase Agreement, Graceful agreed to commence construction of a building within 12 months of the purchase of the property. The agreement entitles, but does not require, the City to repurchase the property for the sale price if the owner does not comply with the conditions. The owner of Graceful indicated he had a difficult year and is requesting a six-month extension of the deadline to commence construction on the structure. Please recall the Council tabled the decision until the December 5 meeting to allow the owner to clean up the site.

**CITY OF EDGERTON RESOLUTION No. 25-22**

**PRELIMINARY RESOLUTION DECLARING THE CITY COUNCIL'S INTENTIONS FOR  
THE QUIGLEY STREET PROJECT TO EXERCISE SPECIAL ASSESSMENT POLICE  
POWERS UNDER SEC. 66.0703 WIS. STATS.**

The Common Council of the City of Edgerton, Rock and Dane County, Wisconsin, does resolve as follows:

1. The Common Council hereby declares its intention to exercise its police power under Sec. 66.0703 Wis. Stats. to levy special assessments upon property in accordance to the attached assessment schedule for the Quigley Street Project conferred upon such property.
2. The public improvements shall include installation of new curb for properties listed in the attached schedule.
3. The total amount assessed against the properties in the defined assessment district shall not exceed one hundred percent (100%) of costs associated with the curb work. The Common Council determines that the improvements constitute an exercise of the police powers and the amount assessed against each parcel shall be based on the actual cost of the work.
4. The assessment against any parcel within the corporate limits of the City of Edgerton may be paid in cash or may be paid in \_\_\_\_ ( ) annual installments if the assessment is \$ \_\_\_\_ or more. Installment payments for parcels within the corporate limits of the City bear interest of \_\_\_\_\_ percent ( \_\_\_\_ %). Installments not paid when due shall bear additional interest on the amount due at the rate of twelve percent (12%) per annum.
5. The Public Works Director shall prepare a report, which shall consist of:
  - (A) Preliminary plans and specifications for the improvements.
  - (B) An estimate of the entire costs of the proposed project improvement; and
  - (C) A schedule of proposed assessments.
6. When the report is completed, the Public Works Director shall file a copy of the report with the City Clerk for public inspection; and the State Board of Commissioners of Public Lands, and the State Department of Administration, and the State Building Commission, if necessary.
7. Notice of the proposed special assessment will be published once in the EDGERTON REPORTER and a copy mailed to every interested person whose post office address is known or can, with reasonable diligence, be ascertained, not less than ten (10) nor more than forty (40) days before the hearing.
8. Upon receiving the report of the Public Works Director, the City Clerk shall cause notice to be given stating the nature of the proposed improvement, the general boundary lines of the proposed assessment district, the time and place at which the report may be inspected, and the time and place of the public hearing on the matters contained in the preliminary resolution and the report. This notice shall be published as a Class 1 Notice and a copy shall be mailed, at least ten (10) days before the hearing, to every interested party.

9. The public hearing shall be held at the Edgerton City Hall, 12 Albion Street, Edgerton, WI 53534 at a time set by the Clerk/Treasurer in accordance with Sec. 66.0703(7), Wis. Stats.

Passed and adopted this 5th day of December, 2022.

Motion by:

Second by:

Roll Call: Ayes:                      Noes:                      Abstain:

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Christopher Lund, Mayor

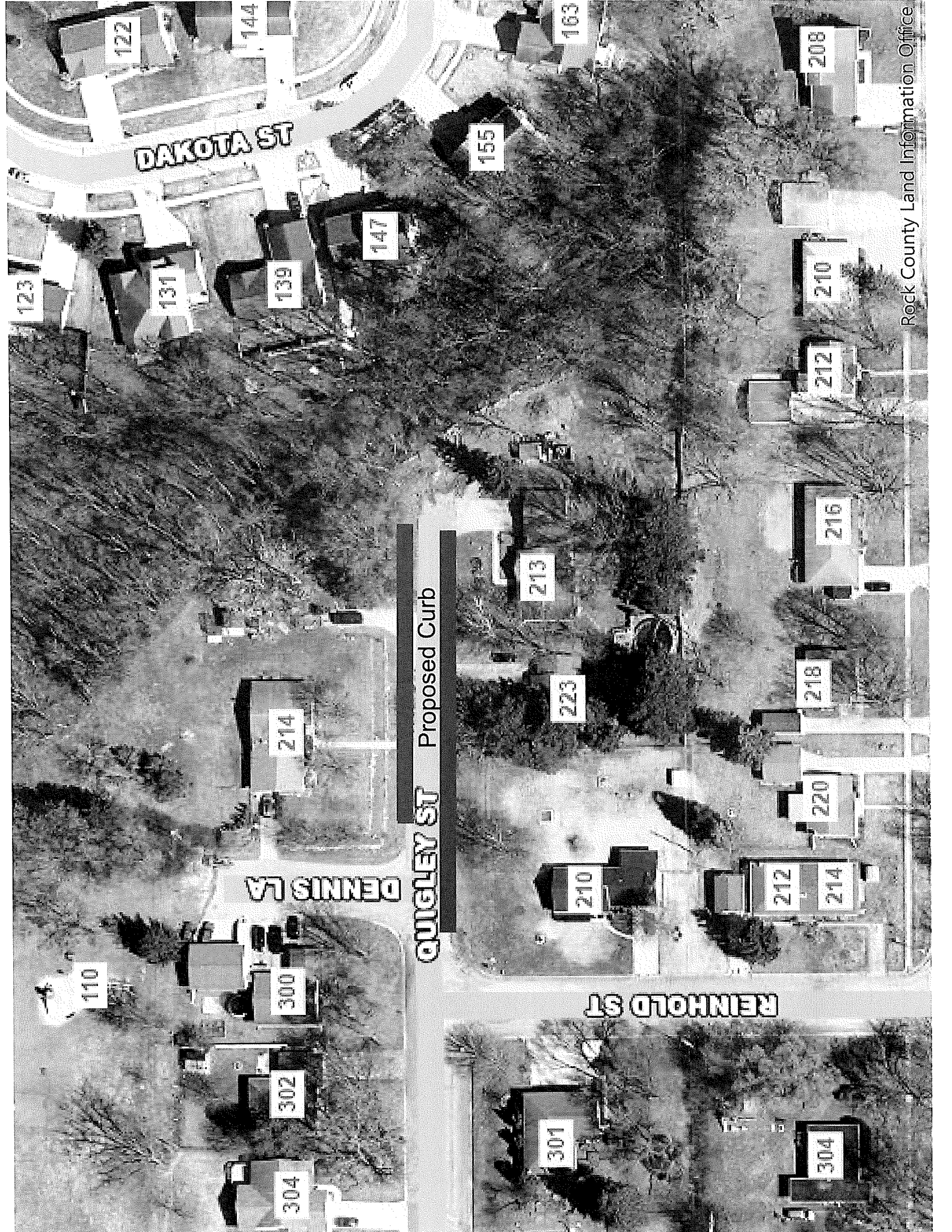
ATTEST

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Wendy Loveland, City Clerk

## Quigley Preliminary Special Assessments

Parcel No.	Parcel Address	Street	LF of new curb	Total Cost of New Curb	Property Owner Construction Cost	Utility Construction Cost	Admin/Eng Costs	Total Property Owner Costs
6-26-598.53	214	Quigley Street	132	\$ 2,640.00	\$ 1,320.00	\$ 1,320.00	\$10.00	\$1,330.00
6-26-598.51B		Quigley Street	66	\$ 1,320.00	\$ 660.00	\$ 660.00	\$10.00	\$670.00
6-26-598.46	210	Reinhold Street	124	\$ 2,480.00	\$ 1,240.00	\$ 1,240.00	\$10.00	\$1,250.00
6-26-598.48	223	Quigley Street	66	\$ 1,320.00	\$ 660.00	\$ 660.00	\$10.00	\$670.00
6-26-598.50	213	Quigley Street	132	\$ 2,640.00	\$ 1,320.00	\$ 1,320.00	\$10.00	\$1,330.00
				<b>\$10,400.00</b>	<b>\$ 5,200.00</b>	<b>\$ 5,200.00</b>	<b>\$ 50.00</b>	<b>\$ 5,250.00</b>



122

144

163

208

131

139

147

155

123

210

212

215

QUIGLEY ST Proposed Curb

213

223

218

214

DENNIS LA

210

212

220

214

110

300

REINHOLD ST

302

304

301

304

**NOVEMBER 21, 2022 COMMON COUNCIL MEETING MINUTES  
CITY OF EDGERTON**

Mayor Christopher Lund called the meeting to order at 7:17 p.m.

Present: Sarah Braun (remote), 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, Library Director Beth Krebs-Smith, City Attorney Bill Morgan and a few citizens.

Loveland confirmed the meeting agendas were properly posted on Friday, November 18, 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 2023 Proposed Budget Document.

Hearing no comments, the Mayor closed the public hearing.

**RESOLUTION 24-22:** A Jim Burdick/Tim Shaw motion to adopt City of Edgerton Resolution 24-22: Adopt the 2023 Annual Budget and Establish the 2022 Property Tax Levy for the City of Edgerton passed on a 6/0 roll call vote.

**MINUTES:** Casey Langan/Jim Burdick motion to approve the minutes from the November 7, 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 \$169,776.19 passed on a 6/0 roll call vote.

A Candy Davis/Tim Shaw motion to approve a new Class "B" Beer License for Foundation Athletics, James Fox agent passed on a 6/0 roll call vote.

A Candy Davis/Casey Langan motion to approve a change to a previously approved truck purchase from Ewald Automotive Group in the amount of \$26,302 for the water department passed on a 6/0 roll call vote.

A Candy Davis//Tim Shaw motion to approve the Chamber of Commerce sub-tenant lease with Coffee Depot LLC with language stating the deck stays public and city accepts liability passed on a 6/0 roll call vote.

**Personnel Committee:** A Candy Davis/Jim Burdick motion to approve the School Resource Officer agreement with the Edgerton School District effective January 3, 2023 passed on a 6/0 roll call vote.

A Candy Davis/Jim Burdick motion to approve the addition of a new Police Patrol position passed on a 6/0 roll call vote.



**Plan Commission:** Council inquired about lot #4 on the map provided. Lot #4 was labeled as lot #7 on the map. The legal description in the ordinance was correct. Ramona will provide an updated map with the correct parcels at the second reading.

A Jim Burdick/Paul Davis motion to introduce and approve the first reading of City of Edgerton Ordinance 22-08: Amend Section 22.210 “Official Zoning Map” of the Edgerton Business District to change the zoning of Lot 1 and Lot 4 in the Edgerton Business Park passed on a 6/0 roll call vote.

A Paul Davis/Burdick motion to approve an extraterritorial land division for Water’s Edge Vacations LLC on Watts Springs Park Road Section 11 in the Town of Fulton passed on a 6/0 roll call vote.

**ORDINANCE 22-07:** Paul Davis/Tim Shaw moved to approve the second reading and adopt City of Edgerton Ordinance 22-07: Adopt an Amendment to the 2015 City of Edgerton Comprehensive Plan for the area known as the unplatted area south of the Orchard Heights Subdivision.

Jim Burdick/Tim Shaw moved to amend the original motion to amend Ordinance 22-07 to change 7 acres to 10 acres. The amended motion would require the Plan Commission hold a new public hearing. The amended motion failed on a 1/5 roll call vote. Sarah Braun, Casey Langan, Candy Davis, Tim Shaw and Paul Davis voted against the motion.

The original motion to approve the second reading of Ordinance 22-07 as written passed on a 5/1 roll call vote. Casey Langan voted against the motion.

**EXTENSION FOR GRACEFUL LLC PURCHASE AND SALE AGREEMENT:** The original purchase agreement with Mr. Stone for the parcel on Marshview Ct stated he was to have started construction within 12 months of the purchase. Mr. Stone stated he has some unforeseen difficulties and is requesting a 6-month extension. If given the extension Mr. Stone assured the Council the building would be constructed within that timeframe.

The city has requested the parcel be cleaned up of the debris. Mr. Stone stated he is working on getting the debris removed and has made progress. He stated he can have it cleaned up within 2 weeks.

Candy Davis stated she agrees with the 6-month extension, but she feels before an extension is granted the property should be cleaned up to the satisfaction of the city. Davis proposed giving Mr. Stone 2 months to clean up the property before an extension is granted.

Mr. Stone agreed to report to the Council at the December 5<sup>th</sup> meeting to show the progress of the clean-up. He also questioned the December 17<sup>th</sup> deadline. He thought his deadline was January 2023.

Paul Davis/Jim Burdick moved to table the discussion until the December 5, 2022 meeting to give the purchaser time to clean up the property. The motion passed on a 6/0 roll call vote.

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

Wendy Loveland  
City Clerk  
Adopted December 5, 2022

**CITY OF EDGERTON  
ORDINANCE No. 22-08**

**AN ORDINANCE TO AMEND SECTION 22.210 “OFFICIAL ZONING MAP” OF  
THE EDGERTON CODE OF ZONING ORDINANCES, CITY OF EDGERTON  
ROCK AND DANE COUNTIES, WISCONSIN**

Aldersperson                   introduced the following Ordinance and moved its adoption:

**WHEREAS** the Plan Commission has held a public hearing, reviewed the zoning changes and recommends the Common Council approve the changes, and

**WHEREAS** the Common Council has reviewed the recommendation and concluded that the zoning change supports the following finding of fact:

The potential public benefits of the proposed rezoning outweigh any and all potential adverse impacts of the proposed rezoning.

**WHEREAS** the Common Council has the final authority to approve all zoning changes,

**NOW THEREFORE BE IT RESOLVED**, the Common Council of the City of Edgerton, Rock and Dane Counties, Wisconsin, do ordain as follows:

SECTION 22.210 “Official Zoning Map” shall be amended for the approval of a zoning change from M-1 Light Industrial District to M-2 General Industrial District for the following Lots: Wisconsin Drive LOT 1 CSM 10027 CS58/252 & 253 (051234195102 and Gateway Ln Lot 4 CSM 14129 CS95-163 & 165 (051235294002) in the Edgerton Business Park into conformance with zoning regulations.

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

Seconded by Aldersperson:

Roll Call:   Ayes:                   Noes:

Public Hearing: November 14, 2022  
1<sup>st</sup> Reading: November 21, 2022  
2<sup>nd</sup> Reading: December 5, 2022  
Adoption: December 5, 2022  
Published: December 7, 2022  
Dated: December 5, 2022

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Christopher W. Lund, Mayor

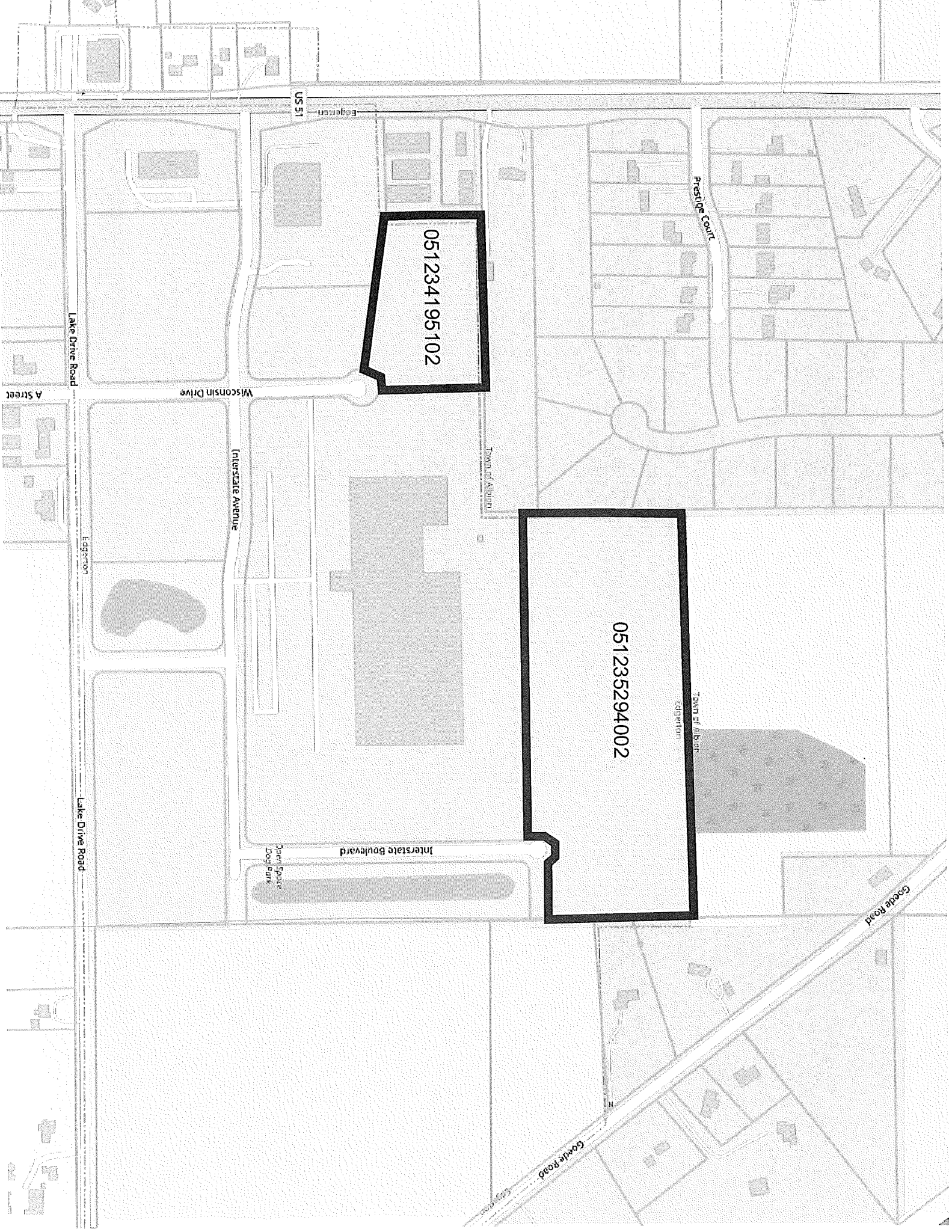
\_\_\_\_\_  
Wendy Loveland, City Clerk

STATE OF WISCONSIN)  
  )SS.  
COUNTY OF ROCK        )

I, Ramona Flanigan, City Administrator, 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 7<sup>th</sup> day of March, 2022.

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Ramona Flanigan, City Administrator



051234195102

051235294002

Lake Drive Road

A Street

Wisconsin Drive

Interstate Avenue

Edgerton

Lake Drive Road

Interstate Boulevard

Open Space  
Dog Park

Presque Coeur

Town of Albion  
Edgerton

Goodie Road

Goodie Road

US 51

Esgehen

Town of Albion