

City of Evansville Common Council
Regular Meeting
City Hall, 31 S Madison St, Evansville WI 53536
Tuesday, May 9, 2023, 6:00 p.m.

MINUTES

1. **Call to order.** *Mayor Duggan called the meeting to order at 6:00 p.m.*
2. **Roll call**

Members	Present/Absent	Others Present
Aldersperson, Abbey Barnes	P	Leah Hurtley, City Clerk
Aldersperson, Jim Brooks	P	Mark Kopp, City Attorney
Aldersperson, Ben Corridon	A	Brian Berquist, Town & Country Engineering
Mayor, Dianne Duggan	P	Kitty Ver Kuilen, Capital Campaign Growing Our Parks
Aldersperson, Ben Ladick	P	Pastor Matt Pooock, Capital Campaign Growing Our Parks
Aldersperson, Gene Lewis	P	JoAnne Quast, Citizen
Aldersperson, Joy Morrison	P	Ryan Combs, Combs & Associates
Aldersperson, Corey Neeley	P	Roger Berg, Grove Partners
Aldersperson, Erika Stuart	P	Dave Olson, Grove Partners
		Ron Gay, Citizen
		Colette Spranger, Community Developer Dir
		Carolyn Kleisch, EMS Chief
		Megan Kloeckner, Library Director

3. **Motion to approve the agenda, by Brooks, seconded by Neeley. Motion passed 7-0, with changes of 7C3 becoming discussion only and 7C2(closed session) moving to item 14.**
4. **Motion to waive the reading of the minutes of the April 11, 2023 regular meeting, the April 18, 2023 Reorganizational meeting and the May 4, 2023 Special Workshop meeting and approve as presented, by Brooks, seconded by Morrison. Motion passed 7-0.**
5. **Civility reminder.** Duggan noted the City’s commitment to civility and decorum at Council Meetings.
6. **Citizen appearances other than agenda items listed.**
Ron Gay: (allotted 3 mins) Gay spent his time in prayer for the Council.
7. **Reports of Committees**
 - A. **Library Board Report: General Updates:** Kloeckner read from her written report: We will be closed on Monday, May 29 for Memorial Day. Public Computer use was up 6.18% for the first quarter of 2023; WIFI was up 15.23%. Program Updates: We were able to interact with over 250 people at Family Fun Night. Fairly quiet with programs this month as we get ready for Summer Reading. We will have reading challenges for all age groups again this year as well as a wide variety of programs.

Neeley inquired if the Wi-Fi users were asked for the reasons they were using the Library’s Wi-Fi. Kloeckner replied a survey was conducted in the past, however not as of recent. Brooks confirmed that the Ice Cream Social will be on June 30th.
 - B. **Parks and Recreation Board Report:** Did not Meet, will meet May 16th.

1) **Growing Our Parks: Recreation for Generations updates and gifts discussion -Matthew Poock, Campaign Chair.**

Poock reported that the Campaign has fundraiser commitments of \$900,000+, with almost half of the funds in the bank. The Campaign has entered the “Public Phase,” with fliers mailed in utility bills. New posters and table tents for the restaurants have been ordered to help advertise the Campaign. The Campaign has 3 requests: 1-Honor the Veterans by allowing “All Veterans Swim Free in 2023,” as it will be the last year at “Veteran’s Memorial Aquatic Center”; 2-Offering a Family Pass for free for those that contribute \$1000 or more; 3-\$500,000 commitment for naming rights for Westside Park. The commitment would be \$50,000/year for 10 years. Attorney Kopp made clear, no action could be taken at this time. Neeley inquired about the Courtier Foundation, Inc. match, in which Poock confirmed that it is a matching pledge contribution up to \$100,000 for the next 3 years. Poock believes that if the Campaign were go over the original amount of \$1.7 million, it would be acceptable to the donors to put the additional funds towards the added enhancements that community members indicated would be beneficial. Neeley offered a suggestion about the potential offering Resident Rates for those outside of the City whom contribute at a certain level.

C. **Plan Commission Report**

1) **Motion to approve the certified survey map for parcel 6-27-958.091A1, finding that the application is in the public interest and meets the objectives contained within Section 110-102(g) of city ordinances, with the following conditions:**

- i) The final CSM and joint cross access and maintenance agreement is recorded with the Rock County Register of Deeds.

Spranger reported that the owner are seeking to split the parcel in two, allowing the separation of the two buildings. Spranger asked the owner to lengthen the easement to be equal on both sides between the two lots and joint cross access maintenance agreement for the shared driveway.

Brooks made the motion, seconded by Morrison. Motion passed 7-0.

2) **Discussion and Possible Motion on Land Division Application 2023-0096 for a preliminary plat on parcel 6-20-218.B (Conifer Hills, Fourth Addition).**

Spranger explained the motion was for the approval of a subdivision within the Extraterritorial Jurisdiction for the Town of Union. After the application had been submitted, covenants were discovered that hadn’t been disclosed. Plan Commission has recommended to deny and Spranger can’t recommend to move forward due to violations to Municipal Code and The City of Evansville Comprehensive Plan. The developer is not interested in amending the plat. Combs asked the Council for consideration to an Ordinance change applicable to the lots that were zoned residential prior to 2011. There was additional discussion on what action would need to take place in order to move forward.

Brooks made the motion to accept the Land Division Application 2023-0096 for a preliminary plat on parcel 6-20-218.B (Conifer Hills, Fourth Addition), seconded by Neeley. Motion failed 0-7.

D. **Finance and Labor Relations Committee Report**

1) **Motion to accept the April 2023 City bills as presented in the amount of \$2,172,410.57.**
Brooks made the motion, seconded by Neeley. Motion passed by Roll Call 7-0.

2) **Motion to approve the Quadiant Leasing USA Inc. Agreement for postage machine.**
Brooks made the motion, seconded by Morrison. Motion passed by Roll Call 7-0.

- 3) **Motion to approve Resolution 2023-13 Fee Schedule - Building Fees.**
Brooks made the motion, seconded by Neeley. Motion passed by Roll Call 7-0.
 Brooks mentioned that this would be the first adjustment since 2015. There will be a further survey done, but through the summer, this would bring us up to what other communities are at.
- 4) **Motion to approve Resolution 2023-14 Fee Schedule - Aquatic Center.**
Brooks made the motion, seconded by Morrison.
 Duggan explained that Sergeant had called her to notify her that this would be addressed again with the new facility for next year. The fee schedule included that Veterans would be free for this year. Another inclusion has indicated that as part of the Capital Campaign, any donation for \$1000 or more, would receive a free family season pass for 2024 season. Brooks asked to change the Seasonal Pass Non-Resident to \$75 and the Seasonal Household Pass for Non-Resident to \$180. Hurtley also asked to have the inclusion to state Daily Rate before 1:59 p.m. and Daily Rate after 2 p.m. **Motion to amend the Fee Schedule to include Non-Resident Seasonal Pass at \$75 and the Non-Resident Household Seasonal Pass at \$180 , and adjust the time to Daily Rate before 1:59p.m. and Daily Rate 2pm and after, was made by Brooks, seconded by Neeley. Motion with amendments passed 7-0.**
- 5) **Motion to approve the City of Evansville Predevelopment Agreement as amended.**
Brooks made the motion, seconded by Morrison. Motion passed by Roll Call 7-0.
 Brooks clarified with Spranger that the only change was to 1.3 to make sure that the invoices get sent to the correct person.
- 6) **Motion to approve the revised Municipal Services Director position description.**
Brooks made the motion, seconded by Morrison. Motion passed 7-0.
 Brooks would like to get approval to move forward with the recruitment process. Ideally resumes will be collected for the next month, to fill the open position. The description that was drafted, included more experience/background on the utility side of the Municipal Services requirements.

E. Public Safety Committee Report

- 1) **Motion to approve the Original Alcohol Beverage License Applications for a Class A Beer/Class A Liquor License for:** (background check recommendations provided by Chief Reese, unless otherwise noted)
 - i) **Family Dollar Stores of Wisconsin, LLC, Priscilla Santos, Agent,** 6627 33rd Avenue, Kenosha, WI 53142 d/b/a Family Dollar Store #24446, 28 County Highway M, Evansville, WI 53536
Stuart made the motion, seconded by Lewis. Motion passed 7-0.
- 2) **Motion to approve the Original Alcohol Beverage License Application for a Class B Beer/Class B Liquor License for:**
 - i) **Pete's Inn Inc., Bret Church, Agent,** 555 S. Fifth Street, Evansville, WI 53536, d/b/a Pete's Inn Inc., 14 N. Madison Street, Evansville, WI 53536.
Stuart made the motion, seconded by Lewis. Motion passed 7-0.
- 3) **Motion to approve the Renewal Alcohol Beverage License Applications for a Class A Beer/Class A Liquor License for:** (background check recommendations provided by Chief Reese, unless otherwise noted)

- i) **Casey's Marketing Company, Anthony W. Hawks, Agent**, 538 Biese Street, Combined Locks, WI 54113, d/b/a Casey's General Store # 3583, 230 E. Main Street, Evansville, WI 53536.
- ii) **Kopecky's Worldwide Foods, Inc., James Dean Kopecky, Agent**, 8017 N. Ridge Court, Evansville, WI, 53536, d/b/a Kopecky's Piggly Wiggly, 8 N. County Road M, Evansville, WI 53536.
- iii) **Madison Street Express, Inc., Parminder K. Sekhon, Agent**, 2644 Granite Road, Fitchburg, WI 53711, d/b/a All-N-One, 104 S. Madison Street, Evansville, WI 53536.
- iv) **Olin Oil Co. Inc., Kristin Olin Olmedo, Agent**, 603 E 2nd Avenue, Brodhead, WI 53520, d/b/a Evansville Gas N Go, 350 Union Street, Evansville, WI 53536.
- v) **Consumers Cooperative Oil Company, Eric Cantwell, Agent**, 1201 Jacob Dr. Prairie Du Sac, WI 53578 d/b/a Consumer Coop Oil Company, 9 John Lindemann Dr., Evansville, WI 53536
- vi) **Family Dollar Stores of Wisconsin, LLC, Priscilla Santos, Agent**, 6627 33rd Avenue, Kenosha, WI 53142 d/b/a Family Dollar Store #24446, 28 County Highway M, Evansville, WI 53536

Stuart made the motion to include all of 7 E3 i-vi, seconded by Brooks. Motion passed 7-0.

- 4) **Motion to approve the Renewal Alcohol Beverage License applications for a Class B Beer/Class B Liquor License for:** (background check recommendations provided by Chief Reese, unless otherwise noted)
- i) **Bessire Bowl, LLC, Joel Bessire, Agent**, 221 Noah's Arc Ct, Evansville, WI 53536, d/b/a Blue Devil Bowl, 108 E. Main Street, Evansville, WI 53536.
 - ii) **Creekside Place Inc., Nicholle L Wagner, Agent**, 14246 W Golf Air Drive, Evansville, WI 53536, d/b/a Creekside Place Inc., 102 Maple Street, Evansville, WI 53536.
 - iii) **The Night Owl Food & Spirits Inc., Gregory P Ardisson, Agent**, 217 N. Sixth Street, Evansville, WI 53536, d/b/a The Night Owl Sports Pub & Eatery, 189 E. Main Street, Evansville, WI 53536.
 - iv) **Trappers Bar & Grill LLC, Travis Schuh, Agent**, 3942 State Road 213, Footville, WI 53520, d/b/a Trappers Bar & Grill, 50 Union Street, Evansville WI 53536.
 - v) **El Vallarta De Evansville LLC, Marco Antonio Lugo Valencia, Agent**, 438 Almeron St, WI 53536, d/b/a El Vallarta, 609 E Main Street, Evansville WI 53536.
 - vi) **Evansville Memorial Post 6905 VFW, John L Schneider, Agent**, 15542 W. Francis Road, Evansville, WI 53536, d/b/a VFW Memorial Post, 179 E. Main Street, Evansville, WI 53536.
 - vii) **Slice Golf, LLC, Andrew Tomlin, Agent**, 300 S. 1st Street, Evansville, WI 53536, d/b/a Slice Golf, 1 E. Main Street, Evansville, WI 53536
 - viii) **Ceili, LLC, Shannon R. Arndt, Agent**, 414 Meadow Lane, Evansville, WI 53536, d/b/a Ceili Coffee and Wine, 16 W. Main Street, Evansville, WI 53536.

Stuart made the motion to include 7 E4 i-viii, seconded by Neeley. Motion passed 7-0.

Additionally, Stuart wanted to point out that Law enforcement week coming up May 15-May 20, and EMS appreciation May 21-May 27. It was pointed out that the Chiefs' are doing a good job. Lewis added that it was appreciated that EMS came to Cruise Night.

F. **Municipal Services Report** Brooks reported that all of the water meters have now been replaced. The conversion to North Star can now begin. WPPI has Evansville scheduled to start that process at the end of the year.

1) Discussion on FERC application for PURPA Waiver.

WPPI is going to file a waiver from the public utilities on our behalf. This would be prevent us from having to purchase electricity from any qualifying entity at 20MW, and the proposal would turn it back to 5MW. This would put us at a risk of being forced to buy electricity from non-WPPI owned recourses and be forced to sell our own resources into the market and purchase from another entity at a higher rate. WPPI has asked for permission from all of its Utilities to file for the waiver. Neeley inquired if there was a plan to carve out a self-generating solar facilities. Brooks mentioned that our contract with WPPI thru 2055 will not allow us.

G. **Economic Development Committee** Brooks informed the Council that they had met twice since the last Regular Council Meeting. Local Business Summit has been planned for Friday, October 13, 2023. The plan is to put together speakers, panel of local voices, and breakout sessions to hear what local business' has to say.

H. **Youth Center Advisory Board Report** Barnes reported that Angie Olson has mentioned that there has been a decline in admission due to the nicer weather. A bowling event scheduled to take place on May 12, 2023. Kickball fundraiser has come up to some roadblocks with waivers. The kickball has been moved to the fall. The Ducky Derby conversation has been started by looking into the legalities of running a raffle. Brooks mentioned that he needed to find out when the raffle would take place so that he could add it to the schedule of events.

I. **Historic Preservation Commission** Lewis reported that 226 West Liberty has applied to install a chain-link fence. 104 West Main applied to install a utility shed in the backyard for storage. 131 Garfield applied to take out the concrete steps and put in wood steps to match the houses around them. 25 N Second Street applied to install solar panels on the non-original attached garage. The solar panels will be not be visible from the street to stay in compliance. 133 Grove Street will be replacing the existing cedar fence with the same materials. And 3 West Liberty Street will be replacing the roof, gutters, and wood siding with the same materials as before. There will be a fence discussion coming up due to the influx of fencing requests due to the update to the Animal Ordinance.

J. **Fire District Report** Brooks stated that it was a low-key meeting with no report to give.

K. **Police Commission Report** Did not Meet

L. **Energy Independence Team Report** Brooks reported that there was a representative from Slipstream that gave a preliminary report on a project that has been started with Milton and Edgerton to establish some energy baselines to come up with a long-term plan for some of the buildings. The plan is for Slipstream to come back in August with a final report and present to Council.

M. **Board of Appeals Report** Did not Meet

8. Unfinished Business

A. **Second reading and motion to approve Ordinance 2023-04 Amending Chapter 130, Article IV Landscape Regulations.**
Brooks made the motion, seconded by Morrison. Motion passed 7-0.

B. **Second reading and *motion to approve Ordinance 2023-06 Amending Chapter 6, Alcohol Beverages.***

Brooks made the motion, seconded by Morrison. Motion passed 7-0.

Brooks inquired as to the reason why there is a need for more licenses. Hurtley explained that she noticed that the state statute was misquoted, that gives a limit to Class B license, when she was reading the Alcohol Ordinance. In 2008, Evansville did a resolution that gave a quota, where the state does not require to give Class A. Hurtley explained that Evansville was close to the limit that was set, and it could potentially hurt economic growth if there were no licenses available.

9. **Communications and Recommendations of the Administrator:** Hurtley shared League of Wisconsin Municipalities has made some dates available for Government 101 class. Duggan asked that the information get sent to Council.

10. **Communications and Recommendations of the Mayor**

A. ***Motion to approve the Citizen Committee Appointments for:***

- 1) **Susan Becker, 233 Garfield Ave, for the unexpired three-year term to the Plan Commission expiring 2025.**
- 2) **Lindsay Seavert Reese, 7420 N Tolles Rd, for the unexpired three-year term expiring 2025 and B. Brian Smith, 40 Braeburn Way, for the unexpired three-year term expiring 2026 to the Eager Free Public Library Board of Trustees.**

Brooks made the motion, seconded by Neeley. Motion passed by Roll Call 7-0.

B. **State of the City** Duggan read from written statement.

C. **Mayoral Proclamation: Pride Month June 2023**

Brooks read the Mayoral Proclamation for Pride Month for June 2023

D. **Mayoral Proclamation: Arbor Day 2023**

Brooks read the Mayoral Proclamation for Arbor Day on Friday April 28, 2023.

11. **New Business** None

12. **Introduction of New Ordinances**

13. **Upcoming Meeting Reminder:**

A. Regular Common Council Meeting, Tuesday June 13, 2023, at 6:00 p.m.

14. Closed Session: ***Motion to convene in closed session pursuant to section 19.85 (1) (e) of the Wisconsin statutes to deliberate or negotiate the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session and where discussion in open session would negatively impact the city's competitive or bargaining position. Upon completion, Common Council will not reconvene in open session.***

Brooks made the motion, seconded by Morrison. Motion passed by Roll Call 7-0.

Closed session started 7:17 p.m.