

**Common Council
Regular Meeting**

Tuesday, November 10, 2020, 6:00 p.m.

In response to COVID-19, this meeting was held virtually to ensure the safety of members and the public. Attendance was through a virtual meeting at <https://meet.google.com/pyk-ohwa-rix> and also available by phone at 1 (765) 999-1628, PIN: 254 197 708#

MINUTES

1. **Call to order.** The meeting was called to order by Mayor Bill Hurtley at 6:02 p.m.
2. **Roll Call.** Members present: Mayor Bill Hurtley, Alderpersons Jim Brooks, Rick Cole, Dianne Duggan, Bill Lathrop, Ben Ladick, Gene Lewis, Joy Morrison, and Erika Stuart. Others present: City Clerk Judy Walton, City Treasurer Julie Roberts, Community Development Director Jason Sergeant, Municipal Services Director Chad Renly, Deputy Clerk Leah Hurtley, EMS Chief Jamie Kessenich, Police Chief Patrick Reese, City Attorney Mark Kopp, Ian Rigg, a representative from Hurley Ranch, and other members of the public.
3. **Approval of Agenda.** Brooks made a motion, seconded by Duggan to move Item 10E to follow Item 6A. Motion approved 8-0.
4. **Approval of Minutes.** Brooks made a motion, seconded by Lathrop to waive the reading of the minutes of October 13, 2020 meeting and approve as presented. Motion approved 8-0.
5. **Civility reminder.** Recognition of the commitment to civility and decorum at Council meetings.
6. **COVID 19 point person.** Cole made a motion, seconded by Lathrop to approve appointment of EMS Chief Jamie Kessenich as COVID 19 control person for all city employees and buildings.

Although having the EMS Chief be directly involved with the COVID 19 response makes perfect sense, Brooks expressed his concern that we are making a formal appointment without direction as to what their duties, requirements, and powers are. It was agreed that the wording of the motion should be changed. Cole and Lathrop withdrew their motion and second.

Duggan made a motion, seconded by Cole to designate, as COVID 19 point person, Jamie Kessenich given that it fits neatly into her role as Chief of EMS. Motion approved 8-0.

7. **Citizen Appearances other than agenda items listed.** None
 - A. Public Hearing: 2021 Operational Budget
 - 1) Staff Report – Cole noted that the tax rate is about the same as last year. He explained the highlighted items in the budget spreadsheets are the changes made to bring us into balance. Roberts added that there is approximately \$1,000 that will need to come out of fund balance.
 - 2) Public Hearing – Hurtley opened the public hearing at 6:27 p.m. There were no public comments and Hurtley closed the public hearing at 6:28 p.m.
 - 3) Final discussion by Council – Brooks thanked Ian Rigg, Julie Roberts, and the Finance and Labor Relations Committee for their work on the budget. Keeping the tax rate even is not easy especially with all the capital improvements. Additionally, saving the cash reserve in the general fund for unknown expenses during this time. He is happy to take this budget forward.

- 4) Cole made a motion, seconded by Duggan to adopt Resolution 2020-22, 2021 Operation and Capital Budget. Motion approved 8-0 on a roll call vote.

8. Reports of Committees

- A. **Library Board Report.** Hurtley read a report prepared by Library Director Megan Kloeckner as follows:

General Updates

- Programming Update – We are continuing to offer virtual and curbside programming only. We have had a lot of success with these options.
 - Library Subscription boxes for preschool-grade 5 (21 in October)
 - Preschool Craft kit (19 in October)
 - Adult Take & Make Kit (18 in October)
- Look for our Story Walk on Main Street during the Olde Fashioned Christmas celebration.
 - *The Polar Express* by Chris Van Allsburg will be featured in the windows of the Main Street businesses.

- B. **Youth Center Advisory Board Report.** Brooks reported they did not meet in October and will not meet in November.

C. **Plan Commission Report**

- 1) Stuart made a motion, seconded by Lathrop to remove from the table the motion to approve the certified survey map to divide parcel 6-27-533.514 (Tax ID 222 04701514) into a Two-family twin lot located at 554/556 Stonewood Court, 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 easement agreement are recorded with Rock County Register of Deeds.
 - ii) Applicant resolves concern with elevation of lowest opening in basement to City Engineer's satisfaction.
- Motion approved 8-0.
- 2) The original motion from October 13, 2020: Stuart made a motion, seconded by Cole to approve the certified survey map to divide parcel 6-27-533.514 (Tax ID 222 04701514) into a Two-family twin lot located at 554/556 Stonewood Court, 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 easement agreement are recorded with Rock County Register of Deeds.
 - ii) Applicant resolves concern with elevation of lowest opening in basement to City Engineer's satisfaction.

Sergeant explained that this was tabled last month due to concerns with the lowest opening of the building. Those problems have been resolved and approval is recommended. Morrison asked how this happened and Sergeant stated the plans showed a half-exposed basement and the final product is a fully-exposed basement. It was noticed at final inspection. Morrison expressed concern that this could set precedence if approved. The overall elevation and grading of that area was discussed. Brooks asked for clarification on the language attached to these properties in regard to the transferring of the property and Sergeant responded that

it would add language to set the minimum lowest opening allowed so no one changes to a fully-exposed basement in the future.

Motion approved 7-1 with Morrison opposing.

- 3) Sergeant stated the proposed Ordinance 2020-12 Amending Chapter 110 Subdivisions will change for the next meeting as it is currently not completely enforceable. This is the extraterritorial land division ordinance and the first reading was done at the October meeting. The plan is to include a minimum lot size for land divisions to allow for large scale development. He and Kopp are working through the language to cover the balance between our long-range plan and what the law covers in regard to land within a different municipality.
- 4) Sergeant stated the first reading on proposed Ordinance 2020-13 Amending Chapter 130 Zoning was done at the October meeting and the second reading is scheduled for the December meeting. This is a proposed amendment to our residential zoning district, trying to align our districts with our comprehensive plan.

D. Finance and Labor Relations Committee Report

- 1) Duggan made a motion, seconded by Cole to defer acceptance of the City bills from October, 2020 until the December, 2020 meeting. Due to staff quarantine these were not completed in time. Motion approved 8-0 on a roll call vote.
- 2) Brooks began the discussion on the Executive Search and Wage Study proposals. We received 9 of the 10 RFP's, Rigg narrowed it to 4 and the Finance and Labor Relations Committee narrowed it to 3, GovHR, Baker Tilly, and SGR. These 3 are very comparable in cost if we engage them in both the executive search and wage study. The turnover rate of administrators placed by SGR was a concern. Baker Tilly and SGR had a broader potential advertising base. Baker Tilly was the preferred choice.
- 3) Brooks made a motion, seconded by Duggan to engage Baker Tilly for the Executive Search and Wage Study. Motion approved 8-0 on a roll call vote.

The hiring committee will consist of Mayor Hurtley, Alderpersons Cole, Duggan, Brooks, and City Treasurer Julie Roberts.

E. Public Safety Committee Report. Duggan reported they voted on 2 original operator licenses, 1 approved and 1 approved with 90-day restrictions. They discussed Jamie Kessenich being the COVID 19 contact person, and they discussed at length the ATV & UTV request but decided not to proceed with that.

- 1) There was a lengthy discussion on bike path safety. Brooks reported a vehicle was driving on the new bike path over the weekend. He suggested at a minimum to install "no motor vehicle" signs. Renly stated there are plans for the signs, they have been ordered just not installed. Chief Reese also suggested installing decorative posts to block the entrance. Renly expressed concern with posts because of access for plowing. Other items could include a decorative trash can, flower pots, or a hash crossing area on the street that identifies the connection point as a pathway and not a street.

F. Municipal Services Report. Brooks reported they discussed the moratorium on collecting utility bills. We are able to place a lot of what is owed to us on the tax roll, so our main exposure are the townships that we don't have agreements with and the trailer park.

- 1) Brooks made a motion, seconded by Ladick to approve Resolution 2020-21 Authorizing Chloride Reduction Program – Water Softener Rebates. Brooks explained that we need to reduce the amount of chloride being discharged from the wastewater treatment plant. The way to do that is to limit the amount of chloride coming into the plant. The biggest contributor to chloride is residential water softeners. He explained the incentives included in the proposed resolution.
Motion approved 8-0 on a roll call vote.

G. Economic Development Committee. Brooks reported they did some goal setting, updating in light of COVID. Sergeant added they discussed potentially recommending to Council forgiveness of an additional loan given under the forgiveness program.

- 1) Brooks made a motion, seconded by Morrison to approve Resolution 2020-24, a Resolution Creating an ad hoc Downtown Decorations Subcommittee to the Evansville Economic Development Committee. Brooks stated this is to formalize the creation of a subcommittee to combine resources and work in one direction.
Motion approved 8-0.

H. Parks and Recreation Board Report. Morrison reported they held their regular meeting on October 20th and Renly reported that Jewell & Associates will be completing the engineering plans to be submitted to the DNR in November and he gave further information regarding the project, particularly the wall on the northeast side at the bottom of the dam and south wall where the most pressure during a 100-year flood situation. Renly stated the DNR set the limits for what they considered structurally significant and they didn't include the northeast side, he objected to their decision, they reviewed his objection, and then included that portion of the wall. Sergeant pointed out that these changes will need to be approved by the State and Local Historic Preservation Commission per our ordinance.

Morrison also reported the mowing season is finished and the leaf pickup is in progress; the bathrooms are closed and a porta-potty was ordered for winter use; Gene Prudhon and Ray Anderson planted 8 trees in Lake Leota and 1 in Franklin Park; they received an update on security cameras and are waiting for a quote from U.S. Cellular; in 2021 the creeks walls and the second duck house will need new quotes for work; and pool repairs are on hold as Badger Pool is unable to do anything further due to the weather. In regard to the referendum she reported that residents wrote to the paper and the Evansville Soccer Club was neutral on the issue and hadn't taken any action on the referendum. Lastly, \$20,000 was placed in the budget for the dog park.

The Park and Recreation Board also held a special meeting on November 4th to discuss the referendum results. There were 33.04% for Option 1, 24.58% for Option 2, and 42.38% for Option 3. The combined results for Option 1 & 2 was 57.62% so the Board is endorsing Option 1 which passed with a vote of 6-1.

They also had a motion to include in the minutes: be it known that the 2020 Evansville, Wisconsin Park and Recreation Board expresses its gratitude to Ian Rigg for his assistance above and beyond the call of duty on all issues involving the parks and recreation of Evansville but especially on the pool referendum. That motion was passed by the Board.

Brooks posed the question of whether the Board discussed planning to move the soccer fields during construction as they would need to be groomed early. Renly stated they are looking at the field by the cemetery. Hurtley instructed Renly to check with the farmer that rents the land.

- I. Historic Preservation Commission.** Lewis reported they removed from the table the application for 245 W Church to demolish a carriage house and that application was denied; they postponed their decision on pillars at 109 S Main as they prefer a different material; they approved the applications for 101 E Main for windows and replacing decorative areas, 112 W Liberty for a front door replacement, and 131 S 3rd to replace windows. They discussed the 2020 Preservation Hero Award selection and the list was narrowed to 5 and they discussed getting out their 2020-2021 letter to those that own historic homes letting them know the Commission is here to help them.
 - J. Fire District Report.** Brooks reported they ratified the rates for the year, no changes in response cost, and they had a couple of appeals with 1 granted and 1 denied. There is some confusion about why there is a flat rate on a fire call. Someone had a question about a fuel leak and 911 dispatched the Fire Department which resulted in a \$500 fee. The person didn't feel it constituted that charge but the Fire Department responds prepared for a hazardous material spill. The amount was reduced for the appellant but a long discussion followed about how to inform the public about the flat fee. They also discussed mutual aid and how it's changed over the years.
 - K. Police Commission Report.** No report.
 - L. Energy Independence Team Report.** Brooks reported Jerry Roth and Jason Knott were able to make the meeting; they are getting Amy up to speed; they talked about 25x25 and how to measure that; and they meet again in February, 2021.
 - M. Board of Appeals Report.** No report.
- 9. Unfinished Business.**
- A.** Brooks presented the second reading and made a motion, seconded by Lathrop to approve Ordinance 2020-14 Amending Chapter 2 Administration. Motion approved 8-0.
 - B.** Brooks presented the second reading and made a motion, seconded by Duggan to approve Ordinance 2020-15 Amending Chapter 122 Traffic and Vehicles. Motion approved 8-0.
- 10. Communications and Recommendations of the Administrator (placeholder)**
- 11. Communications and Recommendations of the Mayor**
- A.** Mayor Hurtley presented his Veterans Day Proclamation. No one was able to go on the Badger Honor Flight due to COVID.
 - B.** Brooks made a motion, seconded by Duggan to appoint Darnisha Haley as City Clerk effective November 16, 2020. Brooks commented that he thinks she will be a great addition to our staff. Motion approved 7-0 on a roll call vote (Cole was absent).
 - C.** Brooks made a motion, seconded by Lathrop to approve the Mayoral appointments of Kerry Lindroth – Evansville Municipal Services, Jim Brooks, Chair – EEDC, Abbey

Witt-Barnes – Evansville Chamber, Nancy Greve – Public Member, and Jodi Saevre – Business Owner to the ad hoc Downtown Decorations Subcommittee to the Evansville Economic Development Committee. Motion approved 8-0 on a roll call vote.

- D. Brooks made a motion, seconded by Duggan to approve Resolution 2020-24, a Resolution Commending Patrick Ian Rigg for his Service to the City of Evansville. Motion approved 8-0 on a roll call vote.

12. New Business

- A. Discussion and possible motion on use of remaining Routes to Recovery (CARES Act) funds.

Sergeant explained that we still have approximately \$50,000 in unused CARES Act funds. Many items to enable employees to work from home can be purchased with budgeted funds but we had discussed making the Council chambers more teleconference friendly. Currently it is hooked up for when everyone is physically in the meeting but going forward we need it to be more of a 2-way communication room to accommodate those that are not comfortable meeting in person. He received a quote, enclosed in the packet. He is looking for direction on whether to pursue this.

Lathrop expressed concern that the purchase was extravagant. Sergeant explained that he's noticed with our current digital meetings that members of the public are not feeling comfortable participating or not getting full participation. He added that Chief Reese also brought up the challenges that our Municipal Court is having. We searched throughout the community but were unable to find a full communication meeting room. He stressed that although he believes this would be covered under the CARES Act, it is not a guarantee and then the cost would need to come out of our regular budget. Sergeant agreed that it is an expensive item but a good portion of that could be a matter of supply and demand at this time.

Brooks stated he thinks we made assumptions in the past to get the room sufficient but that has cost more and taken a lot more time than we anticipated. He stated he thinks we owe it to ourselves and the public to look at options to get the room functional for us and for the public. Getting the room setup for 2-way communication, in response to COVID, and using the CARES Act Funds is a good plan and he would support further investigation.

Sergeant stated that if we are going to submit for CARES Act reimbursement we need to be invoiced by November 17th and submit by November 18th. Due to the short timeline we would need to make a decision at this time.

Brooks stated that the same deadline exists if we were to allocate the remaining funds to the City of Janesville.

Duggan made a motion, seconded by Cole to approve allowing a Committee made up of Rick Cole, Ben Ladick, Jason Sergeant and with the advisement of Mayor Bill Hurlley to apply for reimbursement through the Routes to Recovery Grant Program (CARES Act) for technology improvements to the Evansville Council Chambers as outlined in the November 5, 2020 Quote from Tierney. After all qualifying expenses

have been submitted for reimbursement, any remaining allocation balance will be transferred to the City of Janesville.

Motion approved 8-0 on a roll call vote.

13. Introduction of New Ordinances. None

14. Meeting Reminders

A. The next regular meeting is scheduled for December 8, 2020 6:00 p.m.

15. Adjournment. Cole made a motion, seconded by Duggan to adjourn at 8:24 p.m. Motion approved 8-0.

Judy Walton

The minutes are not official until approved by the Common Council at the next regular meeting.