

**Special Council Meeting Minutes**  
September 25, 2012  
*Approved*

Call to order at 6:30 pm by Mayor Stanek

Roll call. All here

Pledge of Allegiance

**PUBLIC HEARING:**

Consideration of proposed floodplain zoning ordinance and map revisions. Mayor called the public hearing to order. Steward explained the need and the process and next steps. Final adoption by City will be on October 9 at the next City Council meeting. Ed Mendum asked if there is significant impact to the residents of Franklin Street. Steward said no, the Floodway will get narrower, but no significant change.

Discussion and possible action on Western Avenue project. Brad from MSA presented on the bid and the bidders. Gerke Excavating Inc., from Tomah is the low bidder. Project replaces the culvert, sanitary sewer and reconstructs the road from Cedar to 71. An alternate is to add mill and overlay from Cedar to Nassau, another alternate is a guard rail beam for both sides of road at culvert, and alternate C is additional curb and gutter on both sides of road, not just west side, and final bid alternate is extending the completion date to the Spring of 2013. Garvin asked Jamie his opinion on Cedar to Nassau. Jamie said it is bad and needs replacement. Garvin doesn't feel there is no need for curb on the east side of the road, and Jamie agree. Garvin feels that the guard rail is not needed. Brad stated that the WIDOT doesn't require it in this situation. Collins thought there was a sidewalk there years ago and that is why the guard rail is there. Garvin/Helgerson motion to approved base bid of \$108,379.35 and alternate bid A of \$26,468.00 and bid alternate D of \$0 and award to Gerke Excavating Inc. Roll Call. All ayes. Carried.

Consideration of a kennel license for David and Candy Spence.

David Spence in attendance. The dogs have all their shots. They are inside dogs, and will be on a line when they are outside. Garvin/Helgerson motion to approve kennel license for David and Candy Spence. 3 ayes, 2 nays (Krueger, Mendum). Approved.

Discussion and possible action on garbage bags. Steward presented spreadsheet on garbage bag tags. Spreadsheet gave options of prices. Steward suggests we go with tags and not bags.

Krueger/Garvin motion to go with one size fits all garbage tags with a cost of \$1.00 to the retailer and \$1.25 to the resident. Roll call vote.

Garvin/Helgerson to approve resolution 931 for garbage bag tag fees. 3 ayes, 2 nays (Mendum/Myhre). Carried.

Discussion and possible action on Assessor. Steward presented on the fact that the Village of Wonewoc will be meeting tomorrow to interview Ian Holloway. Steward suggests

having Ian Holloway come to the October 9 City Council meeting. Council agrees. Steward will put this topic on the October 9 agenda.

Public Comment: Michael Solovey thanked the people of Elroy, the City Council and Clerk.

Ed Mendum feels that the City is making a wrong decision in throwing out the City Administrator. It is ironic that the Council wants to enforce this ordinance but will not enforce other ordinances. He has done a good job and should be kept. He feels the city is going backwards by making this decision. He says that there are complainers out there and they only comprise 1 – 2 % of the people, and their opinion shouldn't be listened too. He functions as he already lives her by buying gas, groceries and eating in the restaurants. He feels it is sheer stupidity.

Ed Brown disagrees with Ed Mendum. Brown researched that in the last 14 years the City has spent \$1.4M on an administrator and what has the City gained from it. He feels the City is spending money unwisely and should focus on projects. He feels that this topic should be on the April election as a referendum item. He said the City of LaCrosse had a referendum and they voted down the City Administrator. Viroqua also removed their administrator but had to pay him out. Wants the topic on the ballot in the spring.

Ed Mendum rebutted stating that those communities have full time mayors.

Chris Zindorf spoke. Agrees with Mr. Brown. He thought this was a done deal. He doesn't understand why it is being discussed again.

Lynn Thorson said that the people were not surveyed, only a few people spoke. It is an ordinance and needs to be changed properly if that is the way it is to go. How can you be opposed to ordinance changes but so open about changing this ordinance?

Discuss, and reach a decision, on how to proceed in replacing the City Administrator.

Garvin spoke first. Garvin wants to pull the Council to see if they feel we need a city administrator. Four of the five council members feel the city needs an administrator. Jefferson stated the contract and ordinance are clear, but the Council has the power to go with a short term contract. Krueger wants the City Administrator position on the April ballot and let the people decide. Krueger feels we have not moved forward over the years with a City Administrator in this position. Krueger wants the people to decide. Garvin summed up the referendum to two parts – 1. Does the City want to continue with a City Administrator? 2. Should the City Administrator reside within the City Limits? Jefferson feels the public does not know what the City Administrator does and the people may not understand the roll the position plays. Mrs. Zindorf chimed in and said have open discussions with the public to inform them. Garvin thinks that a public meeting process may be the way to go. He would gladly organize these meetings. Maybe have three or four of them, and locate them at City Hall and at the School. Get newspaper articles out there. Mendum would gladly walk around her district to inform people. Garvin realizes the working relationship and knowledge will be lost if Steward's contract is not renewed. Krueger suggests extending the contract through the winter and would Steward be willing to renegotiate the contract. Steward said he would be willing to renegotiate his contract in closed session. Mendum suggested putting information in the utility bills. Krueger feels the Administrator needs to live in the City and it is to the cities benefit. Garvin feels the same way, and wants the Administrator part of the community by living here.

Discuss transition plan over the next month as the City Administrator goes from full time to Contract Employee.

Discuss the contract with existing City Administrator to assist City over the next few months.

Motion by Garvin/Myhre to go into closed session. Roll call. All ayes. Carried.

Closed Session:

Convene into closed session pursuant to Wis. Stats. § 19.85 (1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the government body has jurisdiction or exercise responsibility. Discussion on a consulting contract for City Administrator duties.

Reconvene into open session immediately following closed session.

Motion by Garvin/Myhre to reconvene into open session. Roll Call. All ayes.

Garvin will note two actions decided by the Council in closed session. There will be a special council meeting on October 2 to address two items: 1. Rescind residency ordinance referring to City Administrator. 2. Consider extending the City Administrator's employment to May 31, 2013.

Discussion and possible action on consulting services for City Administrator duties. No discussion.

Myhre/Helgerson to adjourn at 8:00 pm. All ayes. Carried.