

COMMON COUNCIL
THE CITY OF STOUGHTON

Date/Time: Tuesday, November 25, 2014

Location: Council Chambers at the Public Safety Building

Members: Michael Engelberger, Sid Boersma, Ron Christianson, Eric Hohol, Greg Jenson, Paul Lawrence, Tom Majewski, Tom Selsor, Tricia Suess, Tim Swadley, Sonny Swangstu, Pat O'Connor

CALL TO ORDER

Mayor Olson called the meeting of the Common Council at 7:00PM. Finance Director Sullivan called the roll and noted that all twelve alderpersons were present.

Roll Call, Communications, and Presentations:

Kettle Park West Update: Planning Director Scheel reported that he has been reviewing infrastructure plans. Finance Director Sullivan reported that the TIF 7 was unanimously approved by the Joint Review Board at this morning's meeting.

Presentation of proper snow removal and snow related procedures, presented by Streets Superintendent Karl Manthe: Superintendent Manthe gave information regarding the process that the street department uses to remove snow and prevent ice accumulation on the streets. Citizens are able to pick up sand/salt mix at the streets department.

Family and Consumer Sciences Day Proclamation : Mayor Olson presented and read into the record the proclamation for Family and Consumer Sciences Day for Wednesday December 3, 2014.

Minutes and Reports: The following Minutes and reports were entered into the record: Committee of the Whole Minutes (10/21/2014, 10/23/2014 & 10/30/2014), Police & Fire Commission Minutes (10/06/2014, 10/27/2014, 10/28/2014, & 11/10/2014), Landmarks Commission Minutes (10/09/2014), Arts Council Minutes (10/27/2014), Tree Commission Minutes (10/08/2014), Redevelopment Authority Minutes (9/10/2014), Utilities (10/20/2014 & 11/17/2014), Public Works (10/21/2014) and Treasurer Report.

Public Comment Period:

- Terry Parisi; 3718 Halverson Rd; Spoke against the Kettle Park West Development.

CONSENT AGENDA

Approval of the minutes from the November 11, 2014 Common Council Meeting:

Motion by Lawrence, second by Jensen to approve the minutes from the November 11, 2014 Common Council Meeting. Motion passed unanimously by acclamation 12-0.

OLD BUSINESS

O-32-2014: To create Article XVII in Section 14 and Amend Section 14-461 of the Stoughton Municipal Code – RE: Special Events (*Public Safety Committee recommended approval 5-0*)

SECOND READING

Motion by Swadley, second by Lawrence to approve O-32-2014 with the change in fees from \$100 to \$30 from the last Council meeting. Motion carried unanimously by acclamation 12-0.

O-29-2014- Proposed ordinance amending and restating the General Development Plan (GDP) Zoning Ordinance for the property at the Northwest corner of US Highway 51 and State Highway 138. (Kettle Park West Commercial Center.) (*Planning Commission recommended approval 7-0*) **SECOND READING**

Motion by Christianson, second by Jensen to approve O-29-2014 amending the GDP for the Kettle Park West area. Planning Director Scheel reviewed the Storm water management area plan at the request of Alderperson Swadley. Motion passed on a roll call vote of 7-5 with Boersma, Swadley, Selsor, Engelberger, and Majewski voting no.

O-28-2014- Proposed ordinance approving a Specific Implementation Plan (SIP) on the North Side of STH 138 and West of USH 51 (Kwik Trip) (*Planning Commission recommended approval 7-0*) **SECOND READING**

Motion by Christianson, second by Jensen to approve O-28-2014. Planning Director Scheel gave an overview of the proposed ordinance. Council discussion was in regards to the time period in the ordinance and the dates in the development agreement. There was then further discussion regarding landscaping surrounding the area.

Mayor Olson then called for a break at 7: 49PM and reconvened at 7:58PM.

Planning Director Scheel displayed the landscaping map for the Kwik Trip SIP.

Motion by Majewski to amend the main motion to require the builder to donate to the City an equivalent amount of trees or the dollar amount of the park row trees removed in this plan to be used in other areas of the City's tree plan, second by Selsor. Motion carried unanimously by acclamation 12-0.

Motion by Boersma to amend the main motion that the SIP ordinance time frame deadline be changed to require full development by November 25, 2019, second by Seuss. Motion carried by roll call vote 11-1.

The main motion was read again and passed on a roll call vote of 7-5.

O-30-2014 Proposed ordinance approving a Specific Implementation Plan (SIP) on the North Side of STH 138 and West of USH 51 (Wal-Mart) (*Planning Commission recommended approval 7-0*) **SECOND READING**

Motion by Christianson, second by Hohol to approve O-30-2014. Planning Director Scheel then outlined the SIP ordinance.

Motion by Boersma, to amend the main motion to include that the SIP ordinance time frame deadline be changed to require full development by November 25, 2019, second by Lawrence. Motion carried by acclamation 12-0.

Attorney Deb Tomscyck walked the Council through all of the variance requests in the SIP submittal.

Motion by Majewski to amend the main motion to remove the striping element in the proposed SIP and replace it with the required colored and textured material, second by Swadley.

Motion restated to say: Remove the exception in the SIP specifically to the pedestrian crossing and replace with the required ordinance language and replace the striping in the exhibit. Motion was not adopted with a tied roll call vote 6-6.

Motion by Swadley to amend the main motion to remove the exception regarding the number of bench seats that have visibility to the outside, and replace with the required ordinance language, second by Majewski. Motion failed by voice vote.

Motion by Swadley to amend the main motion to remove the exception regarding the parking stalls with distance greater than 300 feet from the entrances, and replace with the required ordinance language, second by Engelberger. Motion failed by voice vote.

Main motion passed on roll call vote 7-4 with Engelberger, Swadley, Boersma, and Majewski voting no and Alderperson Selsor abstaining.

NEW BUSINESS

R-134-14 Request by Rob Boettcher, 220 Business Park Circle for Certified Survey Map (CSM) approval to combine lots 16, 17, and 18, Business Park North. On November 10, 2014 the Planning Commission and Business Park North Committee reviewed this CSM request and recommend Council approval. The applicant's intent is to expand his business (Midwest Construction Materials). The resolution, minutes and related materials are provided. (*Recommend approval 10 – 0*)

Motion by Christianson, second by Hohol to recommend approval of R-134-14. It was noted that this resolution would be the consolidation of lots owned by the same owner. Motion carried by

acclamation 12-0.

R-130-14- Request by Mike Wendorf for conditional use permit (CUP) approval to open an Indoor Commercial Entertainment use (Fitness center) at 225 Hoel Avenue.

On November 10, 2014 the Planning Commission held a public hearing, reviewed this conditional use request and recommend Council approval as presented. The resolution, minutes and related materials are provided. (*Recommended approval 7 – 0*)

Motion by Christianson, second by Suess to recommend approval of R-130-14. Motion carried by acclamation 12-0.

O-27-14- Proposed ordinance amendments to the City of Stoughton Municipal Code of Ordinances, Chapter 78, Section 78-105(5)(a)2b and to Appendix C related to commercial animal boarding. On November 10, 2014 the Planning Commission held a public hearing, reviewed this ordinance amendment and recommend Council approval to allow commercial animal boarding as a conditional use within the Planned Industrial district. The ordinance, minutes and related materials are provided. (*Recommended approval 7 – 0*) **FIRST READING**

Presented by Alderperson Christianson for a first reading and will be brought back for a vote at the next Common Council meeting.

O-31-14- Proposed ordinance amendment to the City of Stoughton Municipal Code of Ordinances, Chapter 6, Section 6-14, Kennels. On November 10, 2014 the Planning Commission reviewed this ordinance amendment and recommend Council approval with “as pets or” being removed from the draft. The intent is to provide consistency with the kennel language in chapter 78 and chapter 6. The ordinance, minutes and related materials are provided. (*Recommended approval 7 – 0*) **FIRST READING**

Presented by Alderperson Christianson for a first reading and will be brought back for a vote at the next Common Council meeting.

O-34-2014- Authorizing and directing the proper City officials to adopt modifications to Subsections 74-112 (Minimum monthly wastewater service charge.) and 74-113 (In addition to the minimum monthly charge based on meter size, there shall be a charge for all flow based on water usage as determined by the water utility, at the rate of \$4.05 per 1,000 gals, effective July 20, 2006, \$4.55 per 1,000 gals, effective January 1, 2007 and \$4.96 per 1,000 gals, effective July 5, 2007 of the City of Stoughton Municipal Code of Ordinances. (*Utilities committee recommended approval 5-0*) **FIRST READING**

Presented by Alderperson Hohol for a first reading and will be brought back for a vote at the next Common Council meeting.

R-141-14- Request by Matt Wingrove for Certified Survey Map (CSM) approval to split the property at 830 Dunkirk Avenue to create an additional residential parcel. On November 10, 2014 the Planning Commission reviewed this CSM request and recommend Council approval. The resolution, minutes and related materials are provided. (*Recommended approval 7 – 0.*)

Motion by Christianson, second by Lawrence to approve R-141-14. Motion carried by acclamation 12-0.

R-142-2014- Authorizing and directing the proper city official(s) to approve a Temporary Class “B”/ “Class B” Retailer’s License to American Cancer Society Relay for Life Holiday Home Tour Opening Gala (*Public Safety recommended approval 5-0*)

Motion by Swadley, second by Lawrence to approve R-142-2014. Motion carried by acclamation 12-0.

R-70-2014- Resolution in support of Stoughton Move to Amend (*approved by the citizens of Stoughton during the November 4, 2014 General Election; Citizens of Stoughton voted in favor 4,440-992*)

Motion by Jensen, second by Engelberger to approve R-70-2014. Motion carried by acclamation 12-0.

Discussion of the 2014 Contingency Fund. (*Requested by alderperson Majewski*)

Majewski proposed carrying the remaining balance of the contingency fund forward to 2015 to fund an IT person for the city.

Motion by Selsor to table this motion, second by Lawrence. Substitute motion by Hohol to direct this to Finance committee, second by Christianson. Motion carried by acclamation 12-0.

Should the Common Council direct that the following advisory referendum question to be placed on the ballot for the April 7, 2015 Spring Election: "Should the City of Stoughton borrow an approximate amount of Five million and One Hundred Thousand Dollars in TIF funding to be used in support of the Kettle Park West Development?" (*Requested by Alderperson Selsor*)

Motion by Selsor to table the discussion of the referendum question to the December 9, 2014 Common Council meeting, second by Lawrence.
Motion to table failed 5-7.

Motion by Hohol to postpone discussion of the referendum question indefinitely, second by Christianson. Motion is not adopted by a tied vote of 6-6.

ADJOURNMENT

Motion to adjourn by Lawrence, second by Jensen. Motion to adjourn passed on roll call vote of 8-4. Mayor Olson adjourned the meeting of the Common Council at 10:03PM.