

CITY OF STOUGHTON
OFFICIAL MEETING MINUTES OF THE
COMMON COUNCIL

Date/Time: November 26, 2013 @ 7:00 P.M.

Location: Council Chambers/Public Safety Building

Members: Ron Christianson, Michael Engelberger, Eric Hohol, Greg Jenson, David Kneebone, Paul Lawrence, Tom Majewski, Tom Selsor, Tricia Suess, Tim Swadley, Sonny Swangstu, Ross Urven

Mayor Donna Olson presided at a Regular Meeting of the Common Council of the City of Stoughton, Dane County, Wisconsin, held in the Council Chambers, Public Safety Building, on Tuesday, November 26, 2013, convening at 7:00 P.M.

CALL TO ORDER

Mayor Olson called the meeting to order at 7:00 P.M.

1. Roll Call, Communications, and Presentations:

Aldersperson Kneebone stated on Dec. 7th & 8th he will be dressed up as Santa Claus for the Claws to Paws fundraiser to benefit the Small Animal Advocates.

- WPPI presentation óMike Peters presented WPPI energy update.
- Kettle Park West update-Planning Director Scheel was unable to attend the meeting tonight. Mayor Olson stated the rezoning was approved last week, staff continues to work on Kettle Park West developer agreement. Updates will continue to be provided.
- City of Stoughton Employee Health & Dental Insurance Renewal-Kent Schroeder presented the 2014 Employee Health and Dental Insurance renewals.

2. Minutes and Reports

Minutes (placed on file): Finance 10-08-2013; Landmarks 11-14-2013; Planning 11-11-2013; Tree Commission 10-09-2013; Utilities 10-14-2013

Reports: Finance October Claims and October Treasurer's Report; Utilities Payments Due List, September Finance Summary, September Statistical Information

3. Public Comment: No one registered to speak for the Public Comment period.

OLD BUSINESS

4. Reconsideration of motion to approve Sections 1 and 3 of Resolution R-141-2013, approving the consolidation of the Clerk's Office and the Finance Department to a Administrative Services Department and the creation of a Human Resources Department.

*Moved by Jenson, second by Lawrence, to **reconsider** the motion to approve Sections 1 and 3 of Resolution R-141-2013 approving the consolidation of the Clerk's Office and the Finance Department to an Administrative Services Department. Further discussion followed. Jenson explained he felt there was an urgency in this and we need to move forward. Motion carried 8-4 on roll call with Kneebone, Majewski, Engelberger and Selsor voting no.*

Moved by Jenson, second by Hohol, to move into closed session pursuant to Wis. Stat. sec 19.85 (1) (c), to consider compensation or performance evaluation data of particular City employees, and may reconvene in open session to continue the deliberation, to take action on the resolution, and to proceed with consideration of the remaining items on the meeting agenda. Selsor stated this seems to be about a particular employee, this is about a change in city government. He doesn't see there is any reason why this needs to be in closed session. Hohol stated the city attorney will keep the council in line on the closed session debate. Further discussion followed. Motion carried 8-4 on roll call with Kneebone, Majewski, Engelberger and Selsor voting no.

Meeting moved into open session at 8:15 p.m.

Main motion-

Moved by Swangstu, second by Christianson, to approve R-141-2013 sections 1 and 3, approving the consolidation of the Clerk's Office and the Finance Department to create an Administrative Services Department, and the creation of a Human Resources Department. (this brings us back to original motion from 2 weeks ago). Selsor will vote in opposition. Hohol stated at the last meeting there was debate regarding hiring a HR person that we would not have the money to hire an HR position if we didn't do the restructure. Lawrence will support this. Engelberger will vote in opposition. Engelberger stated he reviewed the directory, and there are many municipalities that don't have combined offices. Further discussion followed. Motion carries 7-5 on roll call with Kneebone, Majewski, Selsor, Engelberger and Urven voting no.

Moved by Swangstu, second by Lawrence, to call the question and close debate. Motion failed on roll call 7-5. (2/3rd vote required to close debate)

Moved by Swadley, second by Majewski, to amend the motion to keep the current salary in the clerk's position as it is. Suess stated the reorganization as proposed offered \$53,000 and the Baker Tilly study stated \$55,000. Christianson stated they have an empty position as clerk, we currently have an acting clerk. There are no performance measures. Swadley stated the clerk's job responsibility definition justifies the salary at \$55,000. Kneebone stated instead of filling the clerks position, now there are constraints of a budget that is passed, the presumption was made that changing government in the City of Stoughton was just going to happen. Hohol, stated the previous clerks had dual responsibility, now the clerk will only have one responsibility. He is voting against the amendment. Swadley will support the main motion regardless. Motion on the amendment failed on roll call 1-11 with Kneebone, Christianson, Lawrence, Majewski, Engelberger, Jenson, Hohol, Urven, Selsor, Suess, and Swangstu voting no.

Kneebone stated he would like to see the Human Resources stay under the clerk's office.

Back to the original motion.

Moved by Swangstu, second by Christianson, to approve R-141-2013 sections 1 and 3, approving the consolidation of the Clerk's Office and the Finance Department to create an Administrative Services Department, and the creation of a Human Resources Department. Further discussion followed. Motion carries 7-5 on roll call with Kneebone, Majewski, Selsor, Engelberger and Urven voting no.

5. **R-150-2013:** Authorizing and directing the proper City official(s) to adopt the 2014 City of Stoughton Budget and the 2014 Capital Improvement Plan (CIP). (Amended resolution.)

Moved by Lawrence, second by Christianson, to approve the 2014 City of Stoughton Budget. Motion carried 10-1 on roll call with Kneebone voting no, and Majewski abstaining.

NEW BUSINESS

6. **R-149-2013:** Authorizing and directing the proper City official(s) to approve the 2014 City of Stoughton Employee Benefits Renewal. (Finance Committee meets prior to Council on Nov. 26.)

Moved by Lawrence, second by Suess, to approve the 2014 City of Stoughton Employee Benefits Renewal. Motion carried 12-0 on roll call.

7. **O-24-2013:** Amending Ordinance Section 2-313 and 2-313 (6) Zoning administration and enforcement of the City of Stoughton Municipal Administration Ordinance. (Planning Commission recommends approval 5-0 with Mayor Olson voting.) *First reading. Christianson presented the Ordinance.*

No action taken.

8. **O-28-2013:** Amending table 78-610 (4)(a) of the City of Stoughton Municipal Code. (Planning Commission recommends approval 5-0 with Mayor Olson voting.) *First reading. Christianson presented the ordinance.*

No action taken.

9. **O-29-2013:** Amending the following Ordinance Sections: 78-105 (2)(e) 8bA and D; 78-105 (4)(c) 8bG; 78-206 (7)(c)1bD; 78-205 (11)(e)2a; 78-716(3); and 78-814 (4)(c) of the City of Stoughton Municipal Zoning Code. (Planning Commission recommends approval 5-0 with Mayor Olson voting.) *First reading. Christianson presented the Ordinance.*

No action taken.

10. **O-31-2013:** Amending Ordinance Section 30-33 (a)(1) Standards for developments in floodway areas of the City of Stoughton Municipal Floodplain Zoning Ordinance. (Planning Commission recommends approval 5-0 with Mayor Olson voting.) *First reading. Christianson presented the ordinance.*

No action taken.

11. **O-32-2013:** To amend section 22-3(b) of the Municipal Code of Ordinances to change the term of the Municipal Judge to a term of four years as required by state law. *First reading. Hougan presented the ordinance.*

No action taken.

12. **O-34-2013:** To amend section 2-4 of the Municipal Code relating to Aldermanic Districts. *First reading. Hougan presented the ordinance.*

No action taken.

13. **O-35-2013:** To amend the ward designations relating to the annexations approved by Ordinance Nos. O-6-2013, O-10-2013, O-16-2013, O-19-2013. *First reading. Hougan presented the ordinance.*

No action taken.

14. **R-131-2013:** Authorizing and directing the proper City official(s) to approve the proposed restructuring of the Fire Department's part-time staff positions. (Public Safety recommends approval 5-0 with Mayor Olson voting; Personnel recommends approval 5-0 with Mayor Olson voting.) Chief Lamers presented the resolution. *Moved by Swangstu, second by Swadley, to approve. Motion carried unanimously by acclamation.*

15. **R-135-2013:** Approving an Extra-Territorial Jurisdictional (ETJ) Land Division Request by John & Barrett Corneille for property located at 1848 Quam Drive, Town of Dunn, Wisconsin. (Planning Commission recommends approval 5-0 with Mayor Olson voting.) *Moved by Christianson, second by Hohol, to approve. Motion carried unanimously by acclamation.*

16. **R-138-2013:** Authorizing and directing the proper City official(s) to issue a Temporary Class "B"/"Class B" Retailer's (picnic) license to the Stoughton Village Players for their Found Footage Festival to be held on December 21, 2013, 8:30 p.m. to 11:00 p.m., at the Village Players Theater, 255 East Main Street, Stoughton. (Public Safety recommends approval 4-0.) *Moved by Swadley, second by Lawrence, to approve. Motion carries unanimously by acclamation.*

17. **R-139-2013:** Authorizing and directing the proper City official(s) to issue an Operator's License to Tyler S. Christensen. (Public Safety recommends approval 3-1.) Hohol will not support this. Kneebone is in agreement with Hohol, the system is flawed.
Moved by Swadley, second by Lawrence, to approve. Motion fails by acclamation.
18. **R-144-2013:** Authorizing and directing the proper City official(s) to create a Youth Center Staff position for 15 hours per week. (Parks and Recreation recommends approval 4-0; Personnel recommends approval 5-0 with Mayor Olson voting.)
Moved by Suess, second by Engelberger, to approve. Motion carries unanimously by acclamation.
19. **R-146-2013:** Authorizing and directing the proper City officials(s) to create part-time Patrol Officer Positions in the Police Department. (Personnel recommends approval 5-0 with Mayor Olson voting.) Chief Leck presented the resolution. The resolution should reflect the 2013 & 2014 budgets.
Moved by Hohol, second by Suess, to amend the resolution to reflect the 2013 & 2014 Budget. Motion for amendment carries unanimously by acclamation.
Moved by Swangstu, second by Christianson, to approve as amended. Motion carries unanimously by acclamation.
20. **R-147-2013:** Authorizing and directing the proper City official(s) to issue a Temporary Class "B"/"Class B" Retailer's (picnic) license for the sale of wine and beer to the American Cancer Society Organization for a Holiday Home Tour event to be held on Saturday, December 06, 2013, from 5:00-11:00 p.m. (Public Safety recommends approval 4-0.) *Moved by Swadley, second by Hohol, to approve. Motion carries unanimously by acclamation.*
21. **R-151-2013:** Authorizing and approving the Mayor's appointment of Aaron Thompson to the Board of Appeals. *Moved by Lawrence, second by Hohol, to approve. Motion carries unanimously by acclamation.*
22. **The Council may meet in closed session per State Statute 19.85 (1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.**
RE: Compensation Adjustments. *Moved by Hohol, second by Lawrence, to convene in closed session at 9:15. Motion carries 12-0 on roll call.*

Moved by Hohol, second by Christianson, to reconvene into open session. Motion carries unanimously by acclamation.

ADJOURNMENT

Moved by Lawrence, second by Jenson, to adjourn at 9:35 p.m. All in favor.

Respectfully submitted,
Maria P. Hougan
Acting City Clerk