

CITY OF STOUGHTON  
OFFICIAL MEETING MINUTES OF THE  
COMMON COUNCIL

Date/Time: November 12, 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 12, 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**

Alder Hohol asked to cancel the Council meeting on December 24; if there is a need to hold a meeting, we will have a special meeting. Hohol also thanked all the veterans for their service.

Acting City Clerk Maria P. Hougan called the roll and noted 12 alders present, constituting a quorum: Christianson, Engelberger, Hohol, Jenson, Kneebone, Lawrence, Majewski, Selsor, Suess, Swadley, Swangstu, Urven.

- Kettle Park West update: Scheel presented the timeline included in the packet regarding the Kettle Park West progress.

**2. Minutes and Reports**

*Minutes (placed on file):* Committee of the Whole 10/03/2013, 10/10/2013, 10/17/2013, 10/24/2013; Landmarks 10/24/2013; Library Board 09/18/2013; Public Safety 09/25/2013; Risk Management 10/14/2013

**3. Public Comment**

**Erica Dial**, 532 East Main Street, Stoughton, representing the **Chamber of Commerce**, spoke in **favor** of the Kettle Park West development; **Scott Treuhl**, 916 Devonshire, spoke in **favor** of the Kettle Park West development; **Rudy Silbaugh**, 924 Skagdalen, spoke in **favor** of the Kettle Park West development; **Bob Jenson**, 916 Quam Point Road, spoke in **favor** of the Kettle Park West development; **Buzz Davis**, 1021 Riverview Drive, spoke in **opposition** to the Kettle Park

West development; **Kathleen Kelly**, 909 Summit, spoke to say that she is **unsure** if she is in favor or opposed: she is not against big box development, but the name on the box does make a difference; **Dean Hanson** 716 Hamilton, spoke in **opposition** to the Kettle Park West development; **Christa Westerberg**, 333 W McKinley Street, spoke in **opposition** to the Kettle Park West development; **Karl Manthe**, 718 Christianson Way, representing the **Leadership Team of the City of Stoughton**, spoke in **favor** of the Kettle Park West development.

**Laura Trotter**, 2156 Fallen Oak Trail, registered in **favor** of the Kettle Park West development; **Randy Olson**, 820 Pleasant View Drive, registered in **favor** of the Kettle Park West development; **Jerry Ley**, 1225 Sundt Lane, registered in **favor** of the Kettle Park West development; **Gloria Stehley**, 1610 Norse Parkway, registered in **favor** of the Kettle Park West development.

4. Public Hearing on the proposed 2014 City of Stoughton Budget  
Finance Director Sullivan gave an overview of the 2014 Budget.

*Mayor Olson closed the Council session at 7:45 PM. and opened the public hearing.*

Richard MacDonald, 524 Kingslynn Road, registered to speak in support of the budget.  
Buzz Davis 1021 River View Drive, spoke regarding the budget

*Mayor Olson closed the public hearing and reopened the Council session at 8:50 P.M.*

## **CONSENT AGENDA**

5. Approval of Council minutes of: 10/22/2013  
*Moved by Swadley, second by Christianson, to approve the consent agenda. Motion carried 12-0 by acclamation.*

## **OLD BUSINESS**

6. **O-23-2013:** Rezoning the property at the northwest corner of US Highway 51 and State Highway 138 from RH-Rural Holding to Planned Development (PD). (Planning Commission recommends approval 4-1 with Mayor Olson voting.) *Second reading.* Mayor Olson encouraged Council to vote yes on the General Development Plan. Hohol and Jenson were in support. Engelberger and Kneebone were in opposition. Swadley and Suess had questions. Further discussions followed.

***Main Motion:*** *Moved by Christianson, second by Hohol, to approve. Motion carried 8-4 by roll call, with Swadley, Kneebone, Engelberger, and Majewski in opposition.*

*Moved by Hohol, second by Christianson, to call the question. Motion failed 5-7 by roll call, with Swangstu, Christianson, Lawrence, Jenson, Hohol, Urven, and Suess in opposition.*

Selsor called a point of order.

*Moved by Majewski, second by Kneebone, to table this item, in order to amend the zoning ordinance to allow for more input by city council into the zoning ordinance. Motion failed 4-8 by roll, with Jenson, Hohol, Urven, Selsor, Suess, Swangstu, Christianson, and Lawrence in opposition.*

Engelberger called a point of order.

*Moved by Lawrence, second by Hohol to call the question to close debate. Motion passes on roll call 8-4. With Swadley, Kneebone, Engelberger, and Selsor in opposition.*

Selsor called a point of order. *The council voted on the main motion.*

*The council took a break at 8:50 P.M. The meeting was called to order at 9:00 P.M..*

7. **O-27-2013:** Amending Section 78-206(4)(1) Bed and Breakfast Establishment of the Zoning Code. (Planning Commission recommends approval 6-0 with Mayor Olson voting.)  
*Second reading.*

*Moved by Christianson, second by Lawrence, to approve. Motion carried 12-0 by acclamation.*

## **NEW BUSINESS**

8. **R-120-2013:** Approving a Limited Conditional Use Permit specifically for Stoughton House Inn, Inc., Lance McNaughton, Operator, for a Bed and Breakfast establishment at 516 S. Page Street, Stoughton, Wisconsin. (Planning Commission recommends approval 6-0 with Mayor Olson voting.)

*Moved by Christianson, second by Jenson, to approve. Motion carried 12-0 by acclamation.*

9. **R-129-2013:** Authorizing and directing the proper City official(s) to issue a Class A Beer and Class A Liquor license to Susan M. Smith, agent, dba The Lilystone, 193 West Main Street, Stoughton, Wisconsin. (Public Safety recommends approval 5-0 with Mayor Olson voting.)

*Moved by Swadley, second by Lawrence, to approve. Motion carried 12-0 by acclamation.*

10. **R-133-2013:** Authorizing and directing the proper City official(s) to approve the request from the Stoughton Viking Snowdrifters Snowmobile Club to continue use of the trail leading to the PDQ gas station located along Highway 51 within the city limits. (Public Safety recommends approval 5-0 with Mayor Olson voting.)

*Moved by Swadley, second by Lawrence, to approve. Motion carried 12-0 by acclamation.*

11. **R-134-2013:** Authorizing and directing the proper City official(s) to issue an Operator's License to Billie Jo E. McSherry. (Public Safety recommends denial 5-0 with Mayor Olson voting.)

*Moved by Swadley, second by Lawrence, to approve. Motion failed 0-12 by acclamation.*

**12. R-136-2013:** Authorizing and directing the proper City official(s) to designate the land east of the fire station as parkland, and name it "Stoughton Rotary Park." (Parks & Recreation recommends approval 4-0.)

*Moved by Suess, second by Engelberger, to approve. Motion carried 12-0 by acclamation.*

**13. R-137-2013:** Urging the Governor and the State Legislature to work collaboratively with Wisconsin municipal leaders to accomplish the critical goals of job creation and economic growth. (Finance Committee meets prior to Council.)

*Moved by Lawrence, second by Jenson, to approve. Motion carried 12-0 by acclamation.*

**14. R-142-2013:** Authorizing and directing the proper City official(s) to approve the 2014 Stoughton Utilities (SU) Budget and Capital Improvements Plan (CIP). (Stoughton Utilities Committee recommends approval of the budget 7-0 and of the CIP 7-0; Committee of the Whole recommends approval 9-0.)

*Moved by Hohol, second by Engelberger, to approve. Motion carried 12-0 by roll call.*

**15. R-140-2013:** Authorizing and directing the proper City official(s) to adopt the 2014 City of Stoughton Budget and Capital Improvement Plan. (Committee of the Whole recommends approval 9-0.)

*Moved by Hohol, second by Lawrence, to approve. Motion carried 12-0 by roll call.*

**16. R-143-2013:** Approving the Stoughton Area Emergency Medical Services budget for 2014. (Committee of the Whole recommends approval 9-0.)

*Moved by Hohol, second by Lawrence, to approve. Motion carried 12-0 by roll call.*

**17.** Consider adoption of Resolution No. **R-141-2013**, Approving the consolidation of the Clerk's Office and the Finance Department in a Finance/Administrative Services Department, and the creation of a Human Resources Department. From time to time during the course of the deliberation, the Common Council may convene in 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. (Personnel Committee recommends approval 4-1 with Mayor Olson voting in favor.)

*Moved by Swangstu, second by Christianson to approve Resolution R-141-2013, consolidating the Clerk's Office and the Finance Department, and the creation of a Human Resources Depart.*

Selsor proposed a motion to divide the question into two parts: (1) the recommendation for combining the two departments and (2) the creation of the Human Resources Department. Discussion followed on how to handle Mr. Selsor's motion. The motion was not seconded.

*Moved by Selsor, second by Majewski, to amend the main motion, by voting to approve only sections 1 and 3 of Resolution R-141-2013, providing for the consolidation of the Clerk's office and the Finance Department in a Finance/Administrative Services Department to be effective on December 31, 2013. Discussion followed.*

*Motion carried on the amendment to the motion, 9-3 by roll call, with Christianson, Lawrence, and Hohol in opposition.*

At Alder Lawrence's request, Finance Director Sullivan explained the proposal. Extensive discussion followed. Several alders were opposed or uncertain, and several were in support. Lawrence supports the reorganization. Discussion followed on the Main Motion as amended. Lawrence called a point of order.

Roll call vote was taken to approve the original motion as amended on Resolution R-141-2013, to approve only sections 1 and 3, providing for consolidation of the Clerk's office and the Finance Department in a Finance/Administrative Services Department to be effective on December 31, 2013. Motion failed on amendment to the motion 5-6 on roll call vote with Selsor, Suess, Kneebone, Majewski, Engelberger, Jenson voting no, and Alder Urven abstained.

*Moved by Hohol, second by Lawrence, created a new main motion to approve R-141-2013, providing for a creation of a Human Resources Department. Motion carried 9-2, with Engelberger and Kneebone in opposition.*

*Moved by Lawrence, second by Christianson, to amend the resolution to put the Clerk's Office under the HR Department, clerk and deputy clerk. Motion failed 0-11 on roll call with Majewski, Engelberger, Jenson, Hohol, Urven, Selsor, Suess, Swangstu, Swadley, Kneebone, Lawrence voting no, and Christianson abstaining.*

**Alder Christianson left the meeting at 10:35 P.M.**

Further discussion on the proposed amendment followed. Suess called point of order. Back to original motion of creating an HR Dept.

*Moved by Lawrence, second by Hohol, to refer the amended resolution back to Personnel Committee regarding creating Human Resources Department. Further discussion followed. Motion fails 6-4, with Majewski, Engelberger, Selsor, Suess, Swadley and Kneebone in opposition, and Urven abstaining.*

*Moved by Hohol, second by Lawrence, to refer to the Committee of the Whole. Motion failed 5-6 by roll call, with Swangstu, Kneebone, Majewski, Jenson, Selsor, and Suess in opposition.*

*Moved by Suess, second by Lawrence, to call the question and close debate. Motion carried 10-1 with Engelberger in opposition.*

Back to original Motion. To approve resolution R-141-2013 as amended. Approving paragraphs two and three of the resolution.

*Moved by Swangstu, second by Christianson to approve Resolution R-141-2013, as amended removing the consolidation of the Clerk's Office and the Finance Department, and the creation of a Human Resources Department. Motion carries 9-2 on roll call with Engelberger and Kneebone voting in opposition.*

**18. The Council may meet in closed session per State Statute 19.85(1)(c) considering employment, promotion, compensation or performance evaluation of any public employee over which the governmental body has jurisdiction or exercises responsibility. RE: Compensation Adjustments.**

*Moved by Hohol, second by Lawrence, to enter into closed session at 11:00 p.m. Motion carried 11-0 by roll call.*

## **ADJOURNMENT**

*Moved by Lawrence, second by Jenson, to adjourn at 12:00 a.m. All in favor.*

Respectfully submitted,  
Maria P. Hougan, Acting City Clerk