

CITY OF STOUGHTON  
OFFICIAL MEETING MINUTES OF THE  
COMMON COUNCIL

Date/Time: Tuesday, May 14, 2013 @ 7:00 P.M.

Location: Council Chambers/Public Safety Building

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

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, May 14, 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:**

*Acting City Clerk Hougan called the roll and noted that there were 11 alderpersons present:*

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

*Absent & Excused:* Eric Olstad

2012 Audit Report: Heather Acker of Baker Tilly presented the results of the 2012 Audit.

John Andres of Baker Tilly presented the Utilities 2012 Audit results.

Walter Janowski-presented the Strategic Planning Report

Mayor Olson read the proclamations of Municipal Clerks Week, Relay for Life, Syttende Mai, and National Public Works Week.

Mayor Olson congratulated Stoughton Hospital for being one of the highest ranked in Wisconsin for patient satisfaction.

Mayor Olson stated: it's Syttende Mai, get out and enjoy

**2. Minutes and Reports**

*Minutes (placed on file):* Housing Authority 10-31-2012 & 01-23-2013, Public Safety 03-27-2013, Community Affairs/Council Policy 04-04-2013, Utilities 04-05-2013, Finance 03-26-2013

*Reports:* Utilities Payments Due List, Utilities February Financial Summary and Statistical Worksheet

**3. Public Comment**

No one registered to speak.

**CONSENT AGENDA**

**4. Approval of Council Minutes:** 03-12-2013, 03-26-2013, 04-16-2013

*Moved by Lawrence, second by Jenson, to approve. Motion carried 11-0 by acclamation.*

**OLD BUSINESS**

**5. O-6-2013:** Authorizing and directing the proper city official(s) to approve the request by MMM, LLC, for Direct Annexation by unanimous approval pursuant to Section 66.0217(6) Wis. Stats. (Planning Commission approved 5-0 with Mayor Olson voting.)

**Second reading.**

*Moved by Christianson, second by Lawrence, to approve. Motion carried 11-0 by roll call.*

**6. O-7-2013:** Authorizing and directing the proper city official(s) to amend section 2-31 of the Stoughton Municipal Code, pertaining to rules of procedure. (Community Affairs/Council Policy approved 3-0.) **Second reading.**

*Moved by Jenson, second by Lawrence, to approve. Motion carried 11-0 by roll call.*

**7. R-51-2013:** Authorizing and directing the proper city official(s) to approve the amendments to the Rules of the Common Council, Committees, Boards, and Commissions. (Community Affairs/Council Policy approved 3-0.)

*Moved by Jenson, second by Lawrence, to approve. Motion carried 11-0 by acclamation.*

### **NEW BUSINESS**

**8. R-67-2013:** Authorizing and directing the proper city official(s) to approve the Stoughton Utilities Audit Report and Management Letter. (Utilities Committee approved 6-0 with Mayor Olson voting.)

*Moved by Hohol, second by Swangstu, to approve. Motion carried 11-0 by roll call.*

**9. R-70-2013:** Authorizing and directing the proper city official(s) to approve the City of Stoughton Audit Report and Management Letter. (Finance met 05/14 prior to Council meeting.)

*Moved by Lawrence, second by Hohol, to approve. Motion carried 11-0 by acclamation.*

**10. R-71-2013:** Authorizing and directing the proper city official(s) to approve the City of Stoughton Strategic Plan. **(Committee of the Whole)**

*Moved by Hohol, second by Christianson, to approve. Motion carried 10-1, with Alder Selsor in opposition.*

**11. R-58-2013:** Authorizing and directing the proper city official(s) to issue a Temporary Class "B" /"Class B" Retailer's license to serve fermented malt beverages to the Stoughton Fire Department for their 129<sup>th</sup> Annual Firefighters Dance to be held on July 13, 2013, at Mandt Park. (Public Safety approved 3-0.)

*Moved by Swadley, second by engelberger, to approve. Motion carried 11-0 by acclamation.*

**12. R-59-2013:** Authorizing and directing the proper city official(s) to issue a Temporary Class "B" /"Class B" Retailer's license for the sale of fermented malt beverages only to the Chamber of Commerce for their annual Coffee Break Festival to be held on Saturday, August 17, 2013. (Public Safety approved 3-0.)

*Moved by Swadley, second by Engelberger, to approve. Motion carried 11-0 by acclamation.*

**13. R-60-2013:** Authorizing and directing the proper city official(s) to issue an Operator's License to Adam S. Phillippi. (Public Safety approved 3-0.)

Christianson reiterated the alcohol licensing policy. Lawrence explained the Public Safety Committee judgment call. Further discussion followed. Suess would like to renew if approved, for the one year renewal.

*Moved by Swadley, second by Lawrence, to approve. Motion carried 7-4 on roll call, with*

*Alders Selsor, Kneebone, Christianson, and Engelberger in opposition.*

**14. R-62-2013:** Authorizing and directing the proper city official(s) to approve the

Mayor's appointment of David Wendt to the Business Park North Committee.

*Moved by Lawrence, second by Hohol, to approve. Motion carried 11-0 by acclamation.*

**15. R-63-2013:** Authorizing and directing the proper city official(s) to approve the Mayor's appointment of Karol Castle to the Stoughton Food Pantry Committee.

*Moved by Lawrence, second by Christianson, to approve. Motion carried 11-0 by roll call.*

**16. O-9-2013:** Authorizing and directing the proper city official(s) to amend Zoning Code Section 78-105(5)(c) 2b Heavy Industrial: principal land uses permitted as a conditional use. (Planning Commission met 05/13) **First reading.**

*Moved by Christianson, second by Hohol, to waive the second reading requirement. Motion*

*carried 11-0 by roll call.*

*Moved by Lawrence, second by Hohol, to approve the ordinance. Motion carried 11-0 by roll call.*

**17. R-49-2013:** Authorizing and directing the proper city official(s) to approve a Conditional Use Permit for Vik Malling to operate an indoor commercial entertainment establishment (Viking Brew Pub) at 515 E. Main Street, Stoughton, Wisconsin. (Planning Commission approved 5-0 with Mayor Olson voting.)

*Moved by Christianson, second by Swangstu, to approve. Motion carried 11-0 by roll call.*

**18. R-68-2013:** Authorizing and directing the proper city official(s) to accept the Stoughton Utilities Voluntary Electric and Water Tax Stabilization Dividends and the required electric and water payments in lieu of taxes. (Utilities Committee approved 6-0 with Mayor Olson voting.)

*Moved by Hohol, second by Lawrence, to approve. Motion carried 11-0 by roll call.*

**19. O-8-2013:** Authorizing and directing the proper city official(s) to amend Section 14-461 (License Fees) of the Municipal Code of the City of Stoughton, Dane County, Wisconsin, in Chapter 14, Business. (Public Safety approved 3-0.) First reading. Alderperson Swadley introduced this Ordinance. It will be placed for a second reading on May 28, 2013.

**20. R-69-2013:** Authorizing and directing the proper city official(s) to fund the Kettle Park West Pre-Annexation Agreement in the amount of \$31,300, with the funds coming from the Economic Development Fund Balance. (Finance Committee approved 5-0 with Mayor Olson voting.)

*Moved by Lawrence, second by Hohol, to approve. Motion carried 11-0 by roll call.*

**21.** The Council may meet in closed session pursuant to Wis. Stat. sec. 19.85(1)(e) and (g) to confer with legal counsel and consider a settlement agreement in the case of *Maxine and Jerry King v. City of Stoughton*, *King v. City of Stoughton*, **and to consider a mediation agreement with RT Fox and Frank Bros. re East Main Street Reconstruction.** .

*Moved by Hohol, second by Lawrence, to convene in closed session. Motion carried 11-0 by roll call.*

The session closed at 8:35 P.M.

*Moved by Hohol, second by Lawrence to reconvene into open session. Motion carried unaminously by acclamation.*

The session opened at 9:10 P.M.

**ADJOURNMENT**

*Moved by Lawrence, second by Jenson, to adjourn at 9:10 P.M. All in favor.*

Respectfully submitted,

Maria P. Hougan, Acting City Clerk

MPH/sm