

COMMON COUNCIL OF THE CITY OF STOUGHTON

Date/Time: Tuesday, January 27, 2015 @ 7:00 P.M.
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

The Mayor called the meeting of the Common Council to order at 7:00 pm.

Roll Call, Communications, and Presentations:

The Clerk called the roll and noted that 11 alderpersons were present, Sonny Swangstu was absent and excused.

Jerry Gryttenholm was present and gave a presentation in regards to the Norwegian Cultural Heritage Center. He noted that there would be a genealogy lab available to citizens so that they could research their heritage. He talked about the various exhibits that would be available throughout the Heritage Center, including the story of the journey for immigrants coming from Norway to Stoughton. The opening of the Heritage Center is still uncertain, but is hopeful to have the grand opening in time for Syttende Mai.

The Clerk noted that the Primary for District #2 only will be February 17, 2015. She also noted that the Voter ID requirement would not be in effect.

Mayor Olson proclaimed the week of February 2, 2015 to February 6, 2015 to be National School Counseling Week.

Dan Glynn, from the Parks and Recreation Department, is being awarded a scholarship to pay all of the expenses to attend the Aspen Institute Roundtable on Physical Literacy in Washington DC.

Kettle Park West Update

Planning Director Scheel stated that staff has been participating in various construction coordination meetings with the Kettle Park West Team and staff from the Department of Natural Resources, Department of Transportation and Capital Area Regional Planning Commission.

Minutes and Reports: The following minutes and reports were entered into the record: Food Pantry Committee (10/8/2014), Opera House Board (12/2/2014), Arts Council (12/17/2014), Public Works Committee (11/18/2014) , Tree Commission (11/12/2014), Utilities Committee (11/20/2014) , Finance Committee (1/13/2015), Utilities Financial Summary & Utilities Check Register Summary.

Public Comment Period:

Alan Porter; 3269 Lee South Ct; McFarland; Spoke in favor of allowing the keeping of pigeons.
Ram Miro; 2660 Smithfield Dr; Fitchburg; Spoke in favor of allowing the keeping of pigeons.
Rosalie Bjelde; 101 W Broadway St; Spoke in favor of allowing the keeping of pigeons.
Richard Bjelde; 101 W Broadway St; Spoke in favor of allowing the keeping of pigeons.

CONSENT AGENDA

Approval of Council minutes from the January 13, 2015 Council meeting:

Motion by Lawrence to approve the minutes from January 13, 2015 Council meeting, second by Christianson. Motion carried unanimously 11-0.

OLD BUSINESS

O-1-2015- Request by Milestone Senior Living to Rezone 2208 and 2300 Lincoln Avenue from PB – Planned Business to I – Institutional. The Planning Commission held a public hearing and reviewed this request on December 8, 2014. The applicant is requesting to rezone these 2 properties and in the near future combine them to allow construction of a Senior Living complex to accommodate a 20-unit Community Based Residential Facility and a 20-unit Residential Care Apartment Complex. Notices have been sent to all property owners within 300 feet of these properties. A class 2 notice has been published in the Courier Hub. A conditional use process will also run concurrently (Jan 27th Council agenda) with this request to allow the proposed community based residential facility and residential care apartment complex. The ordinance, application and related materials are provided. **SECOND READING**

Motion by Christianson to approve the rezoning for Milestone Senior Living Center, second by Hohol. Motion carried unanimously by acclamation 11-0.

NEW BUSINESS

R-2-2015 - Request by Milestone Senior Living for a Conditional Use Permit to allow a Community Based Residential Facility (CBRF) and Residential Care Apartment Complex (RCAC) at 2208 and 2300 Lincoln Avenue. The Planning Commission held a public hearing and reviewed this request on December 8, 2014. The applicant is proposing to construct a 40 unit senior living facility. A 20-unit CBRF and 20-unit RCAC are allowable as conditional uses within the Institutional district. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted are in no foreseeable manner substantially impaired or diminished by establishment or operation of this proposed conditional use. The resolution, application and related materials are provided.

Motion by Christianson to approve the Conditional Use Permit for Milestone Senior Living Center, second by Hohol. Motion carried unanimously by acclamation 11-0.

R-3-2015 - Request by the American Legion, Sonny Swangstu for extra-territorial

jurisdictional approval of a certified survey map (CSM) for a land division at the northwest corner of County Highway B and Country Club Road for a future Veterans Memorial Park, Town of Pleasant Springs. The Planning Commission reviewed this request on January 12, 2015. The City of Stoughton has approval authority for land divisions within the 1 ½ mile extra-territorial jurisdictional area from City borders. The resolution and CSM are provided.

Motion by Christianson to approve the extra-territorial jurisdictional request for a certified survey map for the construction of a Veterans Memorial Park, second by Hohol. Christianson noted that the park would be approximately 2.5 acres and it will honor all of the different services. Motion carried 10-0, Jenson abstained.

R-4-2015 - Request by Rob Boettcher, Midwest Construction Materials for conditional use permit (CUP) and site plan approval for an Outdoor Storage accessory use expansion at 220 Business Park Circle. The Planning Commission and Business Park North Committee held a public hearing and reviewed this request on January 12, 2015. The zoning ordinance was recently amended to allow outdoor storage as a conditional accessory use within the planned industrial district. The applicant is proposing to expand the existing outdoor storage area at 220 Business Park Circle which includes fencing and landscaping for screening and stormwater management. There are plans to construct a new building on the site in the future. The site meets all zoning and covenant requirements. The resolution, staff review letter and related materials are provided.

Motion by Christianson to approve the conditional use permit for Rob Boettcher, second by Lawrence. Motion carried unanimously by acclamation 11-0.

R-5-2015- Request by Purple Ocean LLC for a conditional use permit (CUP) approval for an Indoor Commercial Entertainment use (restaurant) at 208 W. Main Street. The Planning Commission held a public hearing and reviewed this request on January 12, 2015. The applicant is proposing to open a take-out only restaurant at 208 W. Main Street. The uses, values and enjoyment of other property in the neighborhood for purposes already permitted are in no foreseeable manner substantially impaired or diminished by establishment or operation of this proposed conditional use. The resolution and related materials are provided.

Motion by Christianson to approve the conditional use permit for Purple Ocean, LLC, second by Lawrence. Motion carried unanimously by acclamation 11-0.

R-6-2015 - Request by Nicole Hines and Jordan Tilleson for conditional use permit (CUP) approval for a Commercial Animal Boarding (Dog Daycare) use at 300 Business Park Circle. The Planning Commission and Business Park North Committee held a public hearing and reviewed this request on January 12, 2015. This request is only for a conditional use permit to allow Commercial Animal Boarding (Dog Daycare) at 300 Business Park Circle. The applicants have an offer to purchase for this property from the City with plans to construct a

building in the near future. The resolution, staff review letter and related materials are provided.

Motion by Christianson to approve the conditional use permit for Nicole Hines and Jordan Tilleson, second by Engelberger. This parcel would be sold and at the time of closing the building would have to be erected within 18 months. Motion carried 10-0, Lawrence abstained.

R-10-2015- Authorizing and directing the proper City official(s) to enter into an agreement with Strang, INC. for architectural services related to remodeling the Police Dispatch Center.

Motion by Christianson to approve the agreement with Strang, INC for the police dispatch center remodel, second by Swadley. Motion carried unanimously by acclamation 11-0.

R-11-2015- Mayor's committee appointment of Jeff Cunningham to the Board of Appeals.

Motion by Lawrence, to approve the appointment of Jeff Cunningham to the Board of Appeals, second by Christianson. Motion carried unanimously by acclamation 11-0.

R-12-2015- Request by Rosalie Bjelde to amend the zoning code to allow the keeping of pigeons in residential districts. The planning commission reviewed this request on January 12, 2015 and voted to recommend Council deny the request to amend the zoning code to allow the keeping of pigeons due to the potential for neighborhood nuisance and since only one property owner has requested the change. The resolution and related materials are provided.

Motion by Christianson to approve the zoning code to allow the keeping of pigeons, second by Lawrence. Christianson noted that the Planning Commission did vote to deny the creation of this ordinance with a vote of 5-1. Lawrence and Engelberger both stated that they are in favor of the creation of the ordinance. Hohol stated that he is opposed due to the fact that the proposed ordinance would allow 75 pigeons to be kept and worries about allowing such a large number. Christianson noted that there isn't an ordinance available to be voted on, but rather the approval would allow the creation of an ordinance. Rosalie Bjelde then noted that she only wanted to have 50 birds and that is 50 pigeons is the maximum number allowed for racing. Hohol noted that this number did come from the Public Safety committee and that is the number of birds would remain at 75 he would be opposed. Motion by Lawrence to direct the resolution to the Planning Commission to change the number of birds from 75 to 50, second by Boersma. Motion passed 8-3 by a roll call vote, with Christianson, Selsor, and Swadley voting no. Original motion was then reread by Mayor Olson and the original motion passed 9-2 by a roll call vote, with Christianson and Swadley voting no.

R-13-2015- Mayor's committee appointment of Bill Amundson to the Stoughton Arts Council.

Motion by Lawrence to approve the appointment of Bill Amundson to the Arts Council, second by Sues. Motion carried unanimously by acclamation 11-0.

R-14-2015- Authorizing and directing the proper city officials to approve the City of Stoughton (Stoughton Utilities) ATCLLC (American Transmission Company) Restructuring Option.

Motion by Hohol to approve the ATCLLC Restructuring Option, second by Christianson. Motion carried unanimously by acclamation 11-0.

R-15-2015- Authorizing and directing the proper city official(s) to approve a Department of Natural Resources River Management Grant for the riverbank restoration in Division Street Park on the Yahara River.

Motion by Engelberger to approve the resolution to pursue the DNR Grant for the Riverbank Restoration , second by Sues. Engelberger noted that the grant would allow the restoration of the riverbank and to deter further erosion. Tom Lynch, Parks & Recreation Director addressed the Council and explained that bank is being eroded and that the grant would allow for the stabilization of that bank. The grant would also allow that area to be more useful to the community and to save the bank from further deterioration. Majewski wondered why the Public Works Committee wasn't involved in the process. Engelberger noted that on the Public Works Committee did discuss and approve this issue last year. Tom Lynch also noted that the grant money that would be matched by the Parks & Recreation CIP fund. Motion carried 9-1, with Majewski voting no.

Aldersperson Selsor left the meeting at 8:30PM.

R-16-2015- Authorizing and directing the proper city official(s) to adopt the new permit procedure for Issuing Permits to Prevent Construction and Installation in Street Right of Way.

Motion by Majewski to approve the new permitting procedure, to prevent construction in the city right of way, second by Lawrence. Planning Director Scheel noted that the new procedure would prevent homeowners from building in the city right of way. Motion carried unanimously by acclamation 10-0.

R-17-2015- Authorizing and directing the proper city official(s) to allow the split rail fence at 103 E McKinley St to remain in place, however, the homeowner must obtain the necessary legal documentation and absorb the related costs that are involved with obtaining the legal documents.

Motion by Majewski to approve the split rail fence located at 103 E McKinley St, second by Christianson. Majewski explained that there was a miscommunication with the homeowner when they built their fence and that the homeowner requests that the fence stay in place until a time comes when the city needs that property. If the resolution is approved the attorney would have to draft an agreement with the home owner to allow the City the ability to use the right of way if necessary. Motion carried by a roll call vote 9-1, Engelberger voting no.

ADJOURNMENT

Motion by Lawrence to adjourn, second by Sues. Motion carried unanimously by acclamation 10-0. Mayor Olson adjourned the meeting of the Common Council at 8:58pm.