

Meeting of: **COMMON COUNCIL OF THE CITY OF STOUGHTON**
Date/Time: Tuesday, February 24, 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

Mayor Olson called the meeting of the Common Council to order at 7:01pm.

Roll Call, Communications, and Presentations:

Clerk Kropf then called the roll and noted that all twelve alderpersons were present.

- Petitions on Advisory Referenda

The City Clerk did forward the Advisory Questions to the County Clerk and noted that when the ballot proof was submitted to the Clerk, the three advisory referendum questions were on that proof.

- Petitions on Direct Legislation

No additional information to offer at this time.

- Kettle Park West Update

No updates to offer at this time.

- March for Meals Proclamation

Mayor Olson read the proclamation and noted that the Month of March 2015 is proclaimed as "March for Meals".

Mayor Olson noted that Sarah Monette, a Library employee, published a Science Fiction novel and that is it up for a Nebula Award.

Chief Leck noted that DaneCom is having problems with the configurations of the system; the entire System has been shut down. The County has budgeted to have more equipment and towers to replace the DaneCom system. If DaneCom is turned on the Fire and EMS might have some serious communication problems. Since DaneCom is down, the County is operating under the old system, Legacy. With the phase out from DaneCom to Legacy the annual fees from the City of Stoughton the annual cost would go from approximately \$26,000 per year to approximately \$9,000 per year. The paging system is working at this time, but not the radio system.

Minutes and Reports: The following minutes and reports were entered into the record:

Redevelopment Authority Minutes from (11/12/2014, 12/17/2014, 1/14/2015), Landmarks Commission (1/8/2015), Public Works (1/20/2015), Utilities Committee (1/20/2015) and the Utilities Reports.

Public Comment Period:

Buzz Davis; 1021 Riverview Dr; Spoke to the Council in favor of tabling the plan for financing the Kettle park West TIF at tonight's meeting.

Dennis Steinkraus; 161 Horizon Dr, Verona; From the Forward Developer Group, spoke about moving forward with the Kettle Park West project.

John Hallinan; 109 W Prospect St; Spoke in opposition of the using the Bond Anticipation Note to finance the Kettle Park West Development.

Roger Springman; 812 Kriedeman St; Spoke in opposition of using the Bond Anticipation Note to finance the Kettle Park West Development.

CONSENT AGENDA

Approval of Council minutes of: February 10, 2015

R-33-2015- Mayor's Committee Appointment of Gen Wilberg to the Stoughton Opera House Board.

R-24-2014- Officially changing the name of Ridgeway Street to Coopers Causeway.

Motion by Lawrence, to approve the Consent Agenda, second by Engelberger. Motion passed unanimously by acclamation 12-0.

OLD BUSINESS

NONE

NEW BUSINESS

5. Discussion and possible action regarding the petition for Advisory Referenda filed with the City of Stoughton City Clerk on Tuesday, February 17, 2015.

No action was taken.

6. Presentation and Council approval of the Kettle Park West financing plan:
Resolutions:

Joe Murray addressed the Council about the finance options available to the City for the Kettle Park West Development. The Note Anticipation Note is a short term borrowing option. He also noted that the developer must have their obligations met before the City will borrow any money for the development. He stated that a concern of using the Bond Anticipation Note would be that there would be the availability to have a permissive referendum. The petitioners would have 30 days to obtain signatures from 10% of the votes cast at the last Governor's election to block the city from borrowing with the Bond Anticipation Note. This is a concern for this project due to the fact that the city has a binding contract with the Kettle Park West Developer. Joe Murray noted that if the City used the Note Anticipation note, they could shorten the timeline of the borrowing on the TIF and any additional revenue from the incremental stream would be added back to the tax roll to be used for the City taxpayers services. Alderperson Christianson noted that Springsted recommended the use of the Bond Anticipation Note and that the Finance Committee recommended the use of a Note Anticipation Note.

- Finance Committee Recommendation:– Note Anticipation Note: **R-29-2015-** Resolution Authorizing the issuance of General Obligation Promissory Notes and providing for the sale of not to exceed \$4,860,000.00 note anticipation notes.

Motion by Lawrence to approve R-29-2015 Resolution Authorizing the issuance of General Obligation Promissory Notes and providing for the sale of not to exceed \$4,860,000.00 note anticipation notes, second by Christianson.

The Mayor allowed Alderperson Engelberger to question of Dennis Steinkraus, in regards to the speculation of Wal-Mart cutting back the number of SuperCenters they intend to open. Mr.Steinkraus noted that he had been in contact with the attorneys from Wal-Mart within the last week and there was no impression of not moving forward with the Kettle Park West Development. Suess noted that the City financial advisors made the recommendation of using the Bond Anticipation Note and that the Note Anticipation Note was brought up to avoid the permissive referendum. She also noted that the citizens need to be aware that no matter which way the City finances the project that the project still needs to be financed and that the City is obligated by the Developer's Agreement. The Mayor noted that her vote changed from the last Finance meeting to the one prior to Council because no matter what, the development needs to be funded and she felt that it would be bad business to use a Bond Anticipation Note and then when a referendum came to surface, turn around and undermine the people and use a Note Anticipation Note to fund this project. Boersma asked when the soonest time would be that the Council could have a Special Event should the petition come to the surface and what the cost would be. The Clerk noted that the absolutely soonest that the city could have a Special Election would be June 2, 2015 and that the cost of the election would approximately be \$25,000 to \$30,000. Motion passed by a roll call vote 8-4, with Engelberger, Majewski, Suess, and Swadley voting no.

The Mayor called for a five minute break and called the meeting back to order at 9:02pm.

- Alternate financing plan: - Bond Anticipation Note: **R-30-2015, R-31-2015, R-32-2015-** Initial Resolution Authorizing \$4,860,000.00 General Obligation Bonds of the City of Stoughton for Projects in Tax Incremental District No. 7, Resolution Directing Publication of Notice to Electors, and

Resolution Providing for the Sale of Note to Exceed \$4,860,000.00 Bond
Anticipation Notes

No action was taken on this item, due to the approval of R-29-2015.

R-19-2015- Request by Ronald Bothum for extra-territorial jurisdictional (ETJ) approval of a certified survey map (CSM) to allow a lot line adjustment at 2514 County Highway A, Town of Dunkirk. The Planning Commission reviewed this request on February 9, 2015 and recommend the Common Council approve the ETJ request according to the resolution as presented. The request is for a lot line adjustment to correct building setback non-compliance and add acreage to the applicant's property. The resolution and related materials are provided.

Motion by Christianson, to approve R-19-2015, second by Jenson. Engelberger requested that larger maps be available. Motion passed 11-0 with Boersma abstaining.

R-20-2015- Request by Robert & Laura Roeven for extra-territorial jurisdictional (ETJ) approval of a certified survey map (CSM) to allow a land division to add 1.879 acres to the property at 845 State Highway 138 for a total combined acreage of 4.91, Town of Dunkirk. The Planning Commission reviewed this request on February 9, 2015 and recommend the Common Council approve the ETJ request according to the resolution as presented. The resolution and related materials are provided.

Motion by Christianson, to approve R-20-2015, second by Majewski. Motion passed unanimously by acclamation 12-0.

R-28-2015- Authorizing and directing the proper City official(s) to approve the write off of Utility accounts deemed uncollectible as of December 31, 2014.

Motion by Hohol, to approve R-28-2015, second by Swangstu. Motion passed on a roll call vote 12-0.

R-35-2015- Resolution Accepting McFarland State Bank as the Issuer of the Letters of Credit Required in the Kettle Park West Development Agreement.

Motion by Christianson, to approve R-35-2015, second by Jenson. The development agreement requires a letter of credit. Motion passed on a roll call vote 12-0.

ADJOURNMENT

Motion by Lawrence to adjourn, second by Jenson. Mayor Olson adjourned the meeting at 9:12pm.