

Meeting of: **COMMON COUNCIL OF THE CITY OF STOUGHTON**
Date/Time: Tuesday, March 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 7:00 pm.

Roll Call, Communications, and Presentations:

Clerk Kropf called the roll and noted that there were eleven alderperson present, Sonny Swangstu was absent.

Mayor Olson congratulated Stoughton on obtaining the award 2014 Tree City USA for 21 years in a row and the Growth Award for 18 years in a row.

Mayor Olson congratulated WSTO for receiving an Award of Achievement for the coverage of the Stoughton High School Football from the Wisconsin Community Media *Best of the Midwest Video Festival*.

Kettle Park West Update

Director Scheel noted that City Staff continues to work on the financing and construction plans. He also noted that ground will not be broke in April as anticipated.

RDA Update

Peter Sveum, Chairperson of the Redevelopment Authority, gave an update as to what the Redevelopment Authority (RDA) has been working on for the City. Suess asked that if the Mil-Fab property is acquired what is would be used for. He noted that it would be used for residential use, retail, and to overall beautify that area of the City.

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

Minutes: Finance 2/24/15, CA/CP 4/2/15, Public Works 2/17/15 & 3/17/15, Tree Commission 1/14/15, Stoughton Utilities 3/16/15, Landmarks 2/12/15, Plan Commission 2/9/15

Reports: Stoughton Utilities January 2015 Financials

Public Comment Period:

Kevan Bard; 840 W South St; Spoke in favor of allowing Stoughton to have a Farmer's Market and spoke of it's mission.

Ingrid West; 1053 Taylor Ln; Spoke in favor the approval of the resolution approving the RDA offer to purchase of the Mill-Fab parcels.

Stephen Lawrence; 601 S Page St; Spoke about the timing for the farmer's market should be 8am to Noon with an half an hour prior and after for setup and cleanup.

Rosalie Bjelde; 101 W Broadway St; Spoke in favor of the approval of the pigeon ordinance.

CONSENT AGENDA

- A. Approval of Council minutes of: March 10, 2015
- B. R-48-2015 -Confirming the Mayors Appointment for Opera House Board

Motion by Lawrence, to approve the consent agenda, second by Jenson. Motion passed unanimously by acclamation 11-0.

OLD BUSINESS

Consideration and possible action relating to Petition for Direct Legislation

Attorney Dregne addressed the Council and noted that the petition as is not appropriate for Direct Legislation. He also noted that it is problematic that the proposed ordinance would prohibit the statutory borrowing procedures and limit the statutory procedures for the creating and amending TIF districts. It would also modify the zoning procedures that would not adhere to the State's laws on zoning properties.

Motion by Lawrence, to find that the Direct Legislation petition with its proposed ordinance is not a proper subject for Direction Legislation and will not be adopted, second by Hohol.

If the Council chose to adopt the ordinance the city may be in noncompliance with the zoning practices and would have to adhere, without repeal, to the ordinance for two years. Engelberger asked Attorney Dregne that if the council doesn't put it on the ballot or approve it, if there is no action the petitioners can appeal the council's lack of decision.

Motion by Lawrence to amend the motion to find that the ordinance as drafted is not an ordinance that the Council can be required to adopt or place on the ballot using the Direct Legislation statute, second by Hohol.

Motion carried 10-1 by a roll call vote, with Engelberger voting no.

Motion by Suess that the Council direct the appropriate committee to draft a policy or ordinance that reflects the intent of the original petition, second by Engelberger. The Council referred the request to the Finance Committee.

Motion passed unanimously by a roll call vote 11-0.

NEW BUSINESS

R-25-2015 -Bob Stoehr representing Milestone Senior Living requests certified survey map(CSM) approval to combine the property at 2208 and 2300 Lincoln Avenue (lots 60 and 61, Second Stiklestad High Field Addition to Norse View Heights).

Motion by Christianson, to approve R-25-2015, second by Lawrence. Motion passed unanimously by acclamation 11-0.

R-26-2015 – Elizabeth Cwik, BWZ Architects requests a conditional use permit for an Indoor Commercial Entertainment Use (Wedding Reception Venue) at the Tobacco Warehouse, 515 E. Main Street.

Motion by Christianson, to approve R-26-2015, second by Lawrence. Motion passed unanimously by acclamation 11-0.

R-27-2015 – Stoughton Hospital requests a conditional use permit approval for an Indoor Institutional use (Building Addition of two bay ambulance garage and renovations) at 900 Ridge Street.

Motion by Christianson, to approve R-27-2015, second by Hohol. Motion passed unanimously by acclamation 11-0.

R-36-2015 – Warren Brewster requests a certified survey map (CSM) approval to reconfigure 5 parcels into 4 parcels (creating 3 buildable residential lots) at 101 W. Chicago Street.

Motion by Christianson, to approve R-36-2015, second by Lawrence. Motion passed unanimously by acclamation 11-0.

R-37-2015 - Preston Baker requests an Extra-Territorial Jurisdictional (ETJ) land division (CSM) approval to allow the creation of an additional residential building lot at 1787 Oakview Drive and 2739 Yahara Drive, Town of Pleasant Springs.

Motion by Christianson, to approve R-37-2015, second by Lawrence. Motion passed unanimously by acclamation 11-0.

R-40-2015- Authorizing and directing the proper city officials to set the 2015 Retiree Health Insurance Premium at the 2014 Retiree Health Insurance Premium Rate plus an additional 10% increase to reflect the current percentage increase for all City Employees for the 2015 plan year.

Motion by Suess, to approve R-40-2015, second by Christianson. Human Resources Director, Amy Jo Gillingham addressed the council and noted that the City's fiscal impact would be \$19,000 for the year 2015. After January 2016 there will be an increase for those retirees and they will be notified as soon as the resolution is approved. Gillingham noted that she has contacted the retirees and that she will be sending them letters notifying them of the change. Motion passed unanimously by acclamation 11-0.

R-49-2015- Authorizing and directing the proper city official(s) to approve the Stoughton Community Farmers Market (SCFM) street closings on Forrest St between Main St and the North Alley on Saturday's {May – September 8:30 am to 12:30 pm}

Motion by Majewski, to approve R-49-2015, second by Lawrence.

Motion by Majewski to amend the resolution to change the hours to 7:30am to 12:30pm, second by Engelberger. Motion passed unanimously by acclamation 11-0.

Original motion passed unanimously by acclamation 11-0.

R-51-2015- Approving the purchase of parcel 0511-071-1029-7 Gjertson Street from Dane County.

Motion by Christianson, to approve R-51-2015, second by Jenson. Planning Director Scheel noted that this land has a stormwater interceptor in it. This is currently owned by the County and the city would pay \$50 for the purchase. Swadley noted that the City found out that the County has this for sale last week and that is the reason for the urgency. Motion passed unanimously by acclamation 11-0.

O-8-2015 - Proposed ordinance to amend sections 78-105(2)(a)3.b.; 78-105(2)(b)3.b.; 78-105(2)(c)3.b.; 78-105(2)(d)3.b.; 78-105(2)(e)4.b.; 78-206(8)(z) and Appendix C. (Related to the keeping of pigeons) **FIRST READING**

Christianson read the ordinance and noted that there will be no action taken on this item. Swadley asked about the decrease in the amount of birds from fifty to twenty-five. Hohol noted that there was much research from other communities about their pigeon keeping ordinances and noted that the Planning Commission did not take any action on this ordinance and so it was referred to Council. Hohol noted that there were many people at the Public Hearing at the March 9, 2015 Planning Commission meeting that did speak in opposition of the keeping of pigeons. The Planning Commission changed the number of birds to be kept from fifty to twenty-five.

O-5-2015 - Proposed ordinance to amend section 78-706(5) related to exterior parking of recreational vehicles. **FIRST READING**

Christianson read the ordinance and noted that there will be no action taken on this item.

O-4-2015 – Proposed ordinance to amend sections 78-015; 78-205(4); 78-503; 78-504; and 78-718 for fencing regulations and other clarifications. **FIRST READING**

Christianson read the ordinance and noted that there will be no action taken on this item.

****R-50-2015-** *The Meeting May Close Per State Statute 19.85(1)(e), deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and then reopen for the regular course of business, RE*
Approving the RDA offer to purchase of the Mill-Fab parcels.

Motion by Christianson to approve, R-50-2015, second by Jenson. The Mil-Fab property is in receivership and the City is looking to purchase this property to redevelop. Gary Becker from Vierbeicher addressed the Council and discussed the potential plans for the Mil Fab property site. He talked about the economic impacts and restoration to that property. He also noted that the area is contaminated, but not bad enough to inhibit its use. He also noted that any contaminations could be resolved and cleaned up. There was a meeting with the DNR to apply for a grant for the Phase II clean up portion of the project, and that grant was awarded to the City for the amount of \$30,000. Lawrence noted that this is an exciting possibility and that there is a lot of work ahead.

Motion by Boersma, to go into Closed Session, second by Lawrence. The Common Council went into closed session at 8:42PM.

Motion by Lawrence to reconvene into Open Session, second by Majewski. The Common Council reconvened into Open Session at 9:52pm

ADJOURNMENT

Motion by Lawrence, to adjourn the meeting of the Common Council, second by Hohol. Motion passed unanimously by acclamation 11-0. The meeting of the Common Council adjourned at 9:53pm.