

Meeting of: **COMMON COUNCIL OF THE CITY OF STOUGHTON**  
Date/Time: Tuesday, September 22, 2015 @ 7:00 P.M.  
Location: Council Chambers at the Public Safety Building  
Members: Mayor Donna Olson, Paul Lawrence, Sid Boersma, Ron Christianson, Greg Jenson, Michael Engelberger, Tom Majewski, Tom Selsor, Regina Hirsch, Tim Swadley, Sonny Swangstu, Pat O'Connor

### **CALL TO ORDER**

Mayor Olson called the meeting of the Common Council to order at 7:00 p.m.

#### **Roll Call, Communications, and Presentations:**

Clerk Kropf called the roll and noted that 10 alderpersons are present, with Tim Swadley being absent and excused.

Mayor Olson announced that there will be a budget listening session on Wednesday, September 30, 2015 at 6:30 p.m. in the EMS Training Room.

Aldersperson Swangstu stated that the Veterans Park will be having a ground breaking ceremony on Saturday, September 26, 2015 at 11:00 a.m. for all who wish to come.

Cathy Kalina and Sharon Mason- Boersma, from Stoughton Cares, addressed the Council regarding their findings regarding best practices from the Syttende- Mai and Catfish River Music Festivals.

Jim Palmer, the executive director of the WPPA and the director for the Wisconsin Law Enforcement Museum of Valor, presented the City of Stoughton Police Department and the Stoughton Professional Police Association a plaque honoring their generous donations to support the museum.

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

**Minutes:** Finance Committee (8/25/2015), Landmarks Commission (8/17/2015), Planning Commission (8/10/2015 & 8/25/2015), Public Works Committee (8/18/2015), and Utilities Committee (8/17/2015)

**Reports:** August Treasurer's Report & Utilities Financial Statements

#### **Public Comment Period:**

John Stark; N30 W29401 Hillcrest Dr, Pewaukee: Spoke in opposition of the zoning change proposed by ordinance number O-17-2015.

## CONSENT AGENDA

### A. Council Minutes: September 8, 2015

Motion by Lawrence, to approve the consent agenda, second by Christianson. Motion carried unanimously by acclamation 10-0.

## OLD BUSINESS

NONE

## NEW BUSINESS

**Aldermanic District 4 Appointment:** Interviews; appointment, administration of oath, and seating of new alderperson

Council President Lawrence interviewed the only candidate for Council, Scott Truehl.

Motion by Lawrence, to approve Scott Truehl as an alderperson until a successor can be elected in April of 2016, second by Christianson. A roll call was called and the motion passed on a vote of 7-0 with three abstentions. Selsor called a point of order stating that the Council vote could not pass because a vote of 7-0 did not constitute a quorum. Council discussion centered on whether a vote that had three abstentions would constitute a quorum. The Mayor ruled that the point of order was out of order and denied. Selsor appealed her ruling on the point of order.

Mayor Olson called for a 10 minute break to research the rules of a vote abstention prior to voting on her ruling.

Mayor Olson called the meeting back to order at 8:00 p.m.

Attorney Dregne stated that he believed that when a member abstains his or her vote they are no longer a part of the Council for that vote and do not pertain to the quorum requirement for that vote. Motion to sustain the Mayor's ruling passed on a vote of 5-4, with Majewski, Engelberger, Hirsch, and Selsor voting no, and with Boersma abstaining. Scott Truehl was seated on the Council.

**R-145-2015-** Resolution authorizing the issuance of \$4,815,000 General Obligation Promissory Notes and the issuance and sale of \$4,815,000 Note Anticipation Notes in anticipation thereof

Motion by Christianson, to approve R-145-2015, second by Lawrence. Joe Murray from Springsted explained that the amount for the borrowing had changed from \$4,815,000 to \$4,775,000. Motion carried on a vote of 10-1 with Engelberger voting no.

**R-143-2015-** A Resolution Declaring Need for the Housing Authority of Dane County, Wisconsin, to Exercise its Powers within the City of Stoughton, Wisconsin

Motion by Christianson, to approve R-143-2015, second by Lawrence. No discussion took place. Motion carried unanimously by acclamation 11-0.

**R-144-2015-** Authorizing and directing the proper city official(s) to enter into an agreement with Accurate Appraisal for Municipal Assessment services

Motion by Christianson, to approve R-144-2015, second by O'Connor. Lee DeGroot addressed the Council and explained the method of the proposed walk through's for assessments. Motion passed on a roll call vote of 11-0.

**R-149-2015-** Approving a Conditional Use Permit for David Eugster and Kathy Jo Vike to install a pier, wharf and to operate an indoor commercial entertainment establishment (water front dining and entertainment) at 324 Water Street, Stoughton, Wisconsin

Motion by Christianson, to approve R-149-2015, second by Lawrence. Council discussion reflected the concerns at the Public Hearing regarding the potential noise on an outside deck. Motion carried unanimously by acclamation 11-0.

**R-147-2015-** Approving a Certified Survey Map to reconfigure 2000 Meadow Drive (Lot 65 of the Second Addition to Eastwood Estates), Stoughton, WI. to four single family lots

Motion by Christianson, to approve R-147-2015, second by Lawrence. Planning Director Scheel noted that the 1.89 acres behind these lots would be dedicated to the City to be a part of the Stormwater management plan. Motion carried unanimously by acclamation 11-0.

**R-148-2015-** Approving a Conditional Use Permit for Dane County Parks to install a pier along the Yahara River at Viking Park, 2525 County Highway B, Stoughton, Wisconsin, owned by Dane County

Motion by Christianson, to approve R-148-2015, second by Lawrence. Christianson noted that this is to allow the boy scouts to install a pier as a project. Motion carried unanimously by acclamation 11-0.

**O-16-2015-** An ordinance amending the zoning classification for property located at 2000 Meadow Drive, Stoughton, WI. From PD- Planned Development to SR- Single Family Residential and I- Institutional

Christianson introduced the ordinance as a first reading and will be available for Council vote at the next meeting.

**O-17-2015-** An ordinance amending the zoning classification for parcels of land bounded by Fourth and Seventh Streets and South Street and the Yahara River, Stoughton, WI. The properties are proposed to be rezoned from HI- Heavy Industrial, SR-6 – Single Family Residential, NB- Neighborhood Business and I-Institutional to MR-24- Multi- Family Residential

Christianson introduced the ordinance as a first reading and will be available for Council vote at the next meeting. Planning Director Scheel stated that the zoning is being changed to accommodate the redevelopment plan. Council discussion encompassed whether the zoning request was appropriate for the area outlined in the ordinance.

**R-150-2015-** Approving a Conditional Use Permit for Winfred Byrd to operate an indoor commercial entertainment establishment (Martial Arts Instruction) at 135 W. Main Street, Unit 202, Stoughton, Wisconsin

Motion by Christianson, to approve R-150-2015, second by Lawrence. Planning Director Scheel noted that all of the adjacent property owners have been notified of the proposed conditional use permit. Motion carried unanimously by acclamation 11-0.

### **ADJOURNMENT**

Motion by Lawrence, to adjourn the meeting of the common council, second by Jenson. Motion carried unanimously by acclamation 11-0. Mayor Olson adjourned the meeting of the common council at 9:16 p.m.