

Meeting of: **COMMON COUNCIL OF THE CITY OF STOUGHTON**  
Date/Time: Tuesday, April 26, 2016 @ 7:00 p.m.  
Location: Council Chambers at the Public Safety Building  
Members: Mayor Donna Olson, Tim Swadley, Sid Boersma Michael Engelberger, Regina Hirsch, Greg Jenson, Kathleen Johnson, Dennis Kittleson, Paul Lawrence, Tom Majewski, Tom Selsor, Regina Hirsch, Pat O'Connor, Scott Truehl

### **CALL TO ORDER**

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

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

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

Boersma explained that he and others celebrated Earth Day by planting trees.

Mayor Olson explained that a portion of the Yahara River Trail was dedicated as the Helen Johnson River Trail and thanked those who attended the dedication.

#### Kettle Park West Update

Planning Director Scheel noted that he will be speaking to the KPW agenda items later.

#### Open Meeting Law, Walking Quorum, and Ethics Review presented by Attorney Dregne

Attorney Dregne gave a detailed overview of Wisconsin's Open Meetings Law, Ethics Law, Parliamentary Procedure, and Public Records Law.

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

- Minutes: Public Safety Committee (2/24/2016), Finance Committee (3/29/2016), Landmarks Commission (3/10/2016), and Planning Commission (3/14/2016)
- Reports: Utilities Financial Reports

#### Public Comment Period:

Mary Claire Lanser; Spoke about her interactions with citizens regarding Kettle Park West- Phase II.

### CONSENT AGENDA

April 12, 2016 Council Minutes

Motion by Boersma, to approve the consent agenda, second by Jenson. Motion carried unanimously by acclamation 12-0.

## **OLD BUSINESS**

**R-45-2016**- Resolution by the Common Council of the City of Stoughton Conditionally Approving the Preliminary Plat of Kettle Park West.

Motion by Truehl, to approve R-45-2016, second by O'Connor. Planning Director Scheel explained that he drafted a letter, based on Council input, to be sent to Michael Hoelker, the Wisconsin Department of Transportation Engineering Chief. He also explained that the development team made changes to the resolution that the Council may consider.

Motion by Majewski, to send the Stoughton Region Transportation Issue letter to Michael Hoelker, the Wisconsin Department of Transportation Chief Engineer, with additional language regarding roundabout size and to include a map showing a connection between Oak Opening Drive to Highway 138, second by Truehl. Motion carried unanimously by acclamation 12-0.

Kittleson asked that Planning Director Scheel inquire about the roundabout size on the Highways in the letter as well.

Hirsch asked that a map be included with the letter that shows Oak Opening connecting to Highway 138.

Engelberger explained that he wanted the letter to also include the expansion of Highway 138 and Highway 51 to four lanes.

Planning Director Scheel addressed the resolution for the Preliminary Plat. Attorney O'Callaghan addressed the Council regarding the letter to the DOT and the Preliminary Plat. He explained the changes to the resolution as suggested at the Committee of the Whole meeting that was held on April 19, 2016. He also explained that the Preliminary Plat map was broken down into different phases, to reflect the different areas of the plat. He noted that phases B, C, & D need to move together, but before that can happen phase A needs to pass with the conditions that:

1. The developer must be obligated to install all of the streets, utilities, sidewalks, street lighting, and other public improvements required to serve those areas
2. a plan or agreement, acceptable to the City, must be in place for the completion of street improvements within the Town of Rutland, including bike/pedestrian accommodations and traffic signals at Roby Road/Deer Point Drive and USH 51
3. the connection of Oak Opening Drive to Highway 138 has been resolved to the City's satisfaction.

Council discussion included showing the connection of Highway 138 on the plat map. Attorney O'Callaghan explained that the connection could not be shown on the map without DOT permission and the developer is not at a place to include that connection.

Motion by Jenson, to amend the resolution to add Recital E of the Pre-Annexation agreement that states,

“The parties desire that the Subject Property be developed in a manner that complies with the City’s Comprehensive Plan, the City’s Official Map, and all City ordinances, and in a manner that minimizes the cost of the development to City taxpayers.”, second by Swadley. Motion carried unanimously by acclamation 12-0.

Motion by Selsor, to table the resolution, second by Hirsch. Motion carried 9-3 on a roll call vote, with Jenson, O’Connor, and Truehl voting no. Truehl asked that both the original version of the resolution along with the resolution with revisions made by FDG be included for further consideration at the next Council meeting.

Mayor Olson called for a recess at 9:20 pm

Mayor Olson reconvened the Council meeting at 9:30 p.m.

**O-5-2016-** An ordinance amending the zoning classification of certain lands located west of US Highway 51 and north of State Highway 138 in the City of Stoughton from RH – Rural Holding to SR-5 – Single Family Residential, SR-6 – Single Family Residential, MR-10 – Multi-Family Residential, MR-24 – Multi-Family Residential, I – Institutional and PB – Planned Business.

Motion by Truehl, to approve O-5-2016, second by O’Connor.

Motion by Truehl, to table, second by Lawrence. Motion carried unanimously by acclamation 12-0.

## **NEW BUSINESS**

**R-51-2016-** Resolution authorizing the issuance and sale of \$5,895,000 General Obligation Promissory Notes, Series 2016A.

Motion by Lawrence, to approve R-51-2016, second by Swadley. Joe Murray explained the City borrowing General Obligation Promissory Notes. He explained that the bid reflected a lower interest amount than projected, which changed the borrowing amount from \$5,895,000 to \$5,830,000. He also explained that Springsted received nine bids and recommends awarding the bid to Wells Fargo.

Motion by Lawrence, to amend the motion to state “approval of the resolution authorizing the issuance and sale of \$5,830,000 General Obligation Promissory Notes, Series 2016A, second by Swadley. Motion carried on a roll call vote 12-0.

Original motion was re-read and carried on a roll call vote 12-0.

**R-52-2016-** Resolution authorizing the issuance and sale of \$4,005,00 Electric System Mortgage Revenue Bonds, Series 2016B of the City of Stoughton, Dane County, Wisconsin, and providing for the payment of the bonds and other details with respect to the bonds.

Motion by Lawrence, to approve R-52-2016, second by Boersma. Joe Murray explained the borrowing

for the Electric System Mortgage Revenue Bonds. He explained that Springsted received four bids and recommends awarding the bid to Robert W. Baird, Inc. Motion carried on a roll call vote 12-0.

**R-53-2016-** Resolution Authorizing the issuance and sale of \$2,520,00 Waterworks System Mortgage Revenue Bonds, Series 2016C of the City of Stoughton, Dane County, Wisconsin, and providing for the payment of the bonds and other details with respect to the bonds.

Motion by Lawrence, to approve R-53-2016, second by Hirsch. Joe Murray explained the borrowing for the Waterworks System Mortgage Revenue Bonds. He further explained that Springsted received five bids and recommends awarding the bid to Banker's Bank with McFarland State Bank. Motion carried on a roll call vote 12-0.

**R-54-2016-** 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.

Motion by Engelberger, to approve R-54-2016, second by Jenson. Utilities Director Kardasz explained that this is done annually. This would allow the utilities to pay a dividend to the City in lieu of taxes. Motion carried unanimously by acclamation 12-0.

**R-55-2016-** Approving a Conditional Use Permit for Laura Viney to operate a Group Daycare at 1401 E. Main Street, Stoughton, Wisconsin.

Motion by Truehl, to approve R-55-2016, second by Lawrence. Truehl explained that this is a commercial area and would allow for a daycare facility to accommodate 30 children. Motion carried unanimously by acclamation 12-0.

**R-56-2016-** Authorizing and directing the proper City official(s) to enter into an agreement with Speedway Sand and Gravel, Inc. for the 2016 Jefferson Street Stormwater Project

Motion by Lawrence, to approve R-56-2016, second by O'Connor. Planning Director Scheel explained that this was the third time this project was bid out and received lower bids than in the past. Motion carried unanimously by acclamation 12-0.

**R-57-2016-** Authorizing and directing the proper City official(s) to enter into an agreement with Harvest Farms, LLC for the First Phase of Construction of the Nordic Ridge Plat

Motion by Lawrence, to approve R-57-2016, second by Jenson. Attorney Dregne stated that the current master development agreement includes language regarding the payment of prevailing wage for certain labor. He explained that an amendment to the resolution be made "to approve the Phase I development agreement with a change to that agreement to state that the prevailing wage rate requirements in the master development agreement be eliminated for consistency with current state law with respect to prevailing wage."

Motion to amend by Selsor, to approve the Phase I development agreement with a change to that agreement to state, that the prevailing wage rate requirements in the master development agreement be eliminated for consistency with current state law with respect to prevailing wage,

second by Lawrence.

Amendment to the motion carried 11-1, with Johnson voting noe.

Original motion was re-read to the Council. Motion carried 11-1, with Johnson voting noe.

**R-58-2016-** Authorizing and directing the proper city official(s) to approve the recommendation from the Interview Panel and Mayor Olson and offer of employment acceptance for the position of Director of Public Works.

Motion by Truehl, to move into closed session, second by Majewski. Motion carried by a roll call vote of 12-0. The Council went into closed session at 10:21 p.m.

Motion by Boersma to approve R-58-2016, second by Truehl. Motion carried unanimously by acclamation 12-0.

Motion by Lawrence, to adjourn the meeting of the Common Council, second by Majewski. Motion carried unanimously by acclamation 12-0. The meeting of the Common Council adjourned at 10:34 p.m.