

Meeting of: **COMMON COUNCIL OF THE CITY OF STOUGHTON**  
Date/Time: Tuesday, October 11, 2016 @ 7:00 p.m.  
Location: Council Chambers (2<sup>nd</sup> Floor of Public Safety Building)  
321 South Fourth Street, Stoughton, Wisconsin  
Members: Mayor Donna Olson, Tim Swadley, Sid Boersma, Michael Engelberger, Regina Hirsch, Greg Jenson, Kathleen Johnson, Dennis Kittleson, Paul Lawrence, Tom Majewski, Pat O'Connor, Scott Truehl, Vacant

### **CALL TO ORDER**

Mayor Olson called the meeting to order at 7:02 p.m.

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

Clerk Kropf called the roll and noted that 10 alderpersons were present with Truehl being absent and excused.

Johnson apologized for not being at the Committee of the Whole meeting on October 6, 2016.

Boersma spoke about the Veterans Memorial Park and urged others to visit it as well.

Laura Trotter, from the Chamber of Commerce, announced that there will be a Tax Incremental Financing presentation and urged all to attend. It will be held October 26, 2016 at 7:00 p.m. in the Stoughton EMS Training Room.

Mayor Olson announced that there is another budget meeting on Thursday, October 13, 2016 at 6:00 p.m. and asked that all Council members attend.

#### **Kiwanis Month Proclamation**

Mayor Olson proclaimed the month of October as Kiwanis Club month.

Mayor Olson explained that her and Chief Leck were at a press conference regarding the No Hit Zone at the Madison Children's Hospital earlier that day.

#### **Kettle Park West Update**

Planning Director Scheel explained that State highway 138 is to open later this week. He noted that he has been in contact with the DOT regarding the access to Hwy 138 and Oak Opening. He noted that the DOT may be in favor of having the connection occur in phases, but is not a guarantee.

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

- Finance Committee (9/13/2016), Public Safety Committee (8/24/2016), Library Board (8/17/2016), and Planning Commission (9/12/2016)

Public Comment Period:

Mark Johnson; 509 Kings Lynn Rd; Spoke in favor of O-24-2016 & O-25-2016.

Denise Wilson; 1308 Vernon St; Spoke in opposition of O-7-2016.

Matt Bartlett; 1000 Kings Lynn Rd; Spoke in opposition of O-24-2016 & O-25-2016.

Misti Hlavacek; 1509 Kenilworth Ct #2; Spoke in favor in of her Operator License being approved.

Phil Caravello; 225 E Main St; Spoke in opposition of O-24-2016 & O-25-2016.

Donald Furseth; 608 Kings Lynn Rd; Spoke in favor of O-24-2016 & O-25-2016.

CONSENT AGENDA

A. September 27, 2016 Council Minutes

B. **R-114-2016**- Confirming the Mayor's Committee Appointment of Amy Winters to the Stoughton Food Pantry Committee.

Motion by Lawrence, to approve the consent agenda, second by Boersma. Motion carried 10-0.

**OLD BUSINESS**

NONE

**NEW BUSINESS**

**R-112-2016**- Authorizing and directing the proper city official(s) to issue an Operator License to Misti Hlavacek.

Motion by Engelberger, to approve R-112-2016, second by Lawrence. Engelberger explained that the Public Safety Committee had a 2-2 vote and that he typically follows the Chief's recommendation to deny. Boersma explained that he is in favor of her license being approved based on the work she is done since the incidents. Lawrence and Kittleson both spoke in favor of the license being approved. Motion carried 8-2, with Engelberger and O'Connor voting noe.

**R-113-2016**- Authorizing and directing the proper city official(s) to approve the revised premises description for the Pick N Save Store #6390; relating to the liquor license.

Motion by Engelberger, to approve R-113-2016, second by Lawrence. Engelberger spoke in favor of this approval. Boersma explained that he would be against this resolution. Motion carried 9-1, with Boersma voting noe.

**O-19-2016-** Amending the zoning classification of lots 9 – 15, Chalet Subdivision including the land platted as Chalet Court and a portion of the land dedicated as parkland (submitted as Exhibit A, Parcel A and Exhibit A, Parcel B). These properties (except for Exhibit A, Parcel B) are proposed to be rezoned from Rural Holding and Institutional to Planned Development – General Development Plan (GDP). Per request of Todd Nelson Exhibit A, Parcel B is proposed to be rezoned from Rural Holding to Institutional.

Planning Director Scheel explained that this ordinance is available for a first reading and will be available for Council consideration on October 25, 2016. Engelberger felt that the proposed plan just had too many structures for the amount of land. Boersma noted that the project developer should provide more information on the land based on the DNR's assessment of that area. Planning Director Scheel explained the possible parkland within the proposed development. Lynch explained that this land has not been treated as a park and that using the money for the land that would be obtained on larger parks.

**O-20-2016-** Amending Chapter 70-222 of the City of Stoughton Municipal Code; relating to placing a four-way stop on W. Milwaukee Street & Hoel Avenue and on North Street & Fifth Street.

Engelberger offered O-20-2016 as a first reading and will be available for Council consideration on October 25, 2016.

**O-21-2016-** Repealing Chapter 70-221 (14) of the City of Stoughton Municipal Code; relating to stopping restrictions on North Street & Fifth Street.

Engelberger offered O-21-2016 as a first reading and will be available for Council consideration on October 25, 2016.

**O-22-2016-** Repealing Chapter 70-197 (2) of the City of Stoughton Municipal Code; relating to 10 minute parking restriction in the 200 Block of East Main Street

Engelberger offered O-22-2016 as a first reading and will be available for Council consideration on October 25, 2016.

**O-23-2016-** Amending Section 50-5 and creating Section 50-15 of the City of Stoughton Municipal Ordinances; relating to anti-bullying and harassment.

Engelberger offered O-23-2016 as a first reading and will be available for Council consideration on October 25, 2016. Swadley asked about the ability to enforce the ordinance. Police Chief Greg Leck explained that after talking to his peers, there haven't been many citations, but it does serve as a good deterrent to the negative behavior. Leck noted that if there were to be any forfeiture for harassment it would be set by the Municipal Judge.

**O-24-2016-** Repealing Chapter 70-176 (43) of the City of Stoughton Municipal Code; relating to parking restrictions on the East side of Kings Lynn Road between Jackson Street and Roby Road.

Engelberger offered O-24-2016 as a first reading and will be available for Council consideration on October 25, 2016.

Motion by Jenson, to suspend the Council rules and waive the second reading of the ordinance, second by Swadley. Swadley and Boersma agreed that the Council needs to give staff direction on how to move forward with the painting on Kings Lynn Rd. Motion carried by a roll call vote of 10-0.

Motion by Kittleson, to refer to the Public Safety Committee to determine a plan of action for emergency snow removal on Kings Lynn Rd, second by Boersma.

Motion by Engelberger, to table O-24-2016 until O-25-2016 is first resolved by the Common Council, second by Majewski.

**O-25-2016-** Repealing Part of Chapter 70-42 of the City of Stoughton Municipal Code; relating to designation of Bicycle ways.

Motion by Jenson, to suspend the Council rules and waive the second reading of the ordinance, second by Boersma.

Motion by Kittleson, to direct the staff to paint the stop bars, cross walks, keep the street as is without paint and to maintain the current parking restriction, second by Boersma.

Motion withdrawn.

Motion by Jenson, to approve O-25-2016, second by Boersma. Kittleson wants this to be discussed in greater detail so that bike lanes can be connected and to not paint the lines at this time. Motion failed on a roll call vote 0-10.

Motion by Kittleson, to direct staff to paint only the cross walks on Kings Lynn Rd, not the center line or bike lanes, second by Jenson. Motion failed 1-9, Kittleson voting yes.

Original motion to refer the O-24-2016 to the public safety committee was reread. Motion failed 1-9, Kittleson voting yes.

Motion by Lawrence, to approve O-24-2016, second by O'Connor. Boersma stated that he is going to vote no on this ordinance and wants this ordinance to be discussed further. Motion failed 0-10.

The Council recessed at 9:13 p.m.

The Council reconvened at 9:24 p.m.

***\*\*The Council may meet in closed session Per State Statute 19.85(1)(e), for 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, RE: RDA offer to purchase of the Mill-Fab parcels and to discuss the possible negotiation of a development agreement with North American Fur Auctions. The Council may reconvene in open session and take action on any matter discussed in closed session.***

Motion by Lawrence, to go into closed session, second by Boersma. Motion carried 10-0 by a roll call vote. The Common Council went into closed session at 9:26 p.m.

Motion by Engelberger, to go into open session, second by Lawrence. The Council reconvened into open session at 11:12 p.m.

Motion by Boersma, to authorize the waiver of the phase II contingency in the MillFab purchase agreement, to allow the City to close on MillFab property before December 31, 2016, second by Jenson. Motion carried 9-1, with Johnson voting noe.

## **ADJOURNMENT**

Motion by Lawrence, to adjourn the meeting of Common Council, second by Jenson. Motion carried 10-0. The meeting of the Common Council adjourned at 11:12 p.m.