

Meeting of: **COMMON COUNCIL OF THE CITY OF STOUGHTON**  
Date/Time: Tuesday, March 28, 2017 @ 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, Matt Bartlett, Sid Boersma, Michael Engelberger, Regina Hirsch, Greg Jenson, Kathleen Johnson, Dennis Kittleson, Paul Lawrence, Tom Majewski, Pat O'Connor, and Scott Truehl

### **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 all twelve alderpersons were present.

Boersma announced that he would be abstaining from the items on the agenda relating to the Public Works Committee as he feels he wasn't able to discuss them at the committee level.

Mayor Olson thanked and congratulated the Public Works department on being named a Tree City and winning a Growth Award from the WI DNR.

#### **Redevelopment Authority Update**

Gary Becker addressed the Council regarding the Redevelopment Authority area and proposed plan. He explained that the process to rehabilitate the Riverfront area started in 2004. He noted that, recently, the RDA had sent out requests for proposals to find a master developer. He explained that the master developer chosen for the job was Tanesay, from Chicago, IL. Becker explained that the master developer had crafted his plan for the area as to not include the Highway Trailer Building. This had been the shared vision of the RDA since 2004 as well. Tanesay has indicated that they will not continue with the community charrette if the Highway Trailer Building is permitted to stay.

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

- Planning Commission (2/13/2017), Landmarks Commission (2/9/2017), Public Safety Committee (2/22/2017), Finance Committee (2/28/17), Public Works Committee (2/21/17), Utilities (2/20/17), Parks and Recreation Committee (2/22/17)
- January 2017 Treasurer's Report

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

Roger Springman; 812 Kriedeman Dr; Spoke in regards to the Redevelopment Authority update presentation and encouraged more community involvement in the redevelopment process.

Peggy Veregin; 225 N Monroe St; Spoke in regards to the Historic Preservation ordinances and clarifications to the City Attorney's memo.

Lisa Reeves; 708 E Main St; Spoke in regards to the Redevelopment Authority update presentation and spoke to the importance of updated community involvement with the process.

Kristi Panthofer; 201 S Franklin St; Spoke in regards to the Redevelopment Authority update presentation and spoke to the importance of retaining historical buildings within the City.  
Alison Sorg, 109 S Madison St; Spoke in regards to the Redevelopment Authority update presentation and spoke to the importance of retaining historical buildings within the City.

**R-41-2017** – Resolution by the Common Council of the City of Stoughton to Approve the Indemnification agreement relating to Agricultural Conversion Fee.

Motion by Lawrence, to approve R-41-2017, second by Swadley. Attorney Dregne explained the land where North American Fur Auctions is currently planning to build, was once farm land. In the event that the land would be changed from agricultural use to industrial use, there would be a land conversion fee triggered. Dregne explained that because that land had been fallow, both the City Assessor and the Dane County Treasurer had indicated there would not be a conversion fee triggered. Motion carried 9-2, with Engelberger and Johnson voting noe and Kittleson abstaining.

**R-42-2017**- Resolution by the Common Council of the City of Stoughton to Assign the NAFA Development Agreement.

Motion by Lawrence, to approve R-42-2017, second by O'Connor. Attorney Dregne explained that NAFA has requested that a name change be approved by the Council. This change comes due to tax laws and also identifying the difference between NAFA companies that deal with the manufacturing and real estate acquisition. Motion carried 9-2, with Engelberger and Johnson voting noe and Kittleson abstaining.

**R-43-2017**- Resolution by the Common Council of the City of Stoughton to Extend the deadline to close. (Currently the agreement would expire if not closed by April 10).

Motion by Lawrence, to approve R-43-2017, second by O'Connor. This resolution would allow the deadline to close, to be extended from April 10, 2017 to May 12, 2017. Motion carried 9-2, with Engelberger and Johnson voting noe and Kittleson abstaining.

**R-44-2017**- Resolution by the Common Council of the City of Stoughton to Approve the Borrow Site Agreement.

Attorney Dregne explained that the agreement for the borrow site had not yet been completed, but would be before the Council in the future for action.

**R-40-2017**- Resolution by the Common Council of the City of Stoughton to Approve the Amended 2017 Borrowing, Equipment Replacement Fund, Capital Outlay Fund, Building Maintenance Fund, and Technology Fund.

Motion by Lawrence, to approve R-40-2017, second by O'Connor. Finance Director LaBorde explained that there has been an increase in the proposed borrowing for several City funds. LaBorde then gave a detailed overview of the projects that could potentially increase the borrowing. Joe Murray, the City's Financial Advisor, addressed the City Council regarding the borrowing situation and the effect of the City's debt payments over the course of the borrowing.

Motion carried on a roll call vote of 11-1, with Johnson voting noe.

The Council recessed for a break at 9:22 p.m.

The Council reconvened at 9:34 p.m.

#### CONSENT AGENDA

- A. March 14, 2017 Council Minutes
- B. **R-28-2017**- Designating Local Depositories and Authorized Signatures for the City of Stoughton and Stoughton Electric, Water, and Wastewater Utilities.
- C. **R-35-2017**- Designating Officials Authorized to Declare Official Intent Under Reimbursement Bond Regulations
- D. Annual Stormwater Discharge Report – Please find materials at: <http://stoughtoncitydocs.com/public-works/> and select the storm water report items under the March 21<sup>st</sup> meeting
- E. Approve **R-36-2017** – Resolution by the City of Stoughton Common Council approving the Fly Dane Partnership Agreement

Motion by Lawrence, to approve the consent agenda, second by Truehl. Motion carried 12-0.

**O-2-2017**- An ordinance amending the zoning classification of certain lands located at 1640 E. Main Street in the City of Stoughton from RH – Rural Holding to PB – Planned Business (Casey’s General Store, Convenience Store/Gas Station).

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

**R-21-2017**- Approving a Conditional Use Permit request by Casey’s Marketing Company for Casey’s General Store at 1640 E. Main Street, Stoughton, Wisconsin. (Casey’s General Store, Convenience Store/Gas Station).

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

**O-4-2017**- An ordinance amending the zoning classification of a portion of the parcel at 3201 McComb Road (see proposed CSM Lot 1 attached) in the City of Stoughton from RH – Rural Holding to I – Institutional.

Aldersperson Truehl introduced O-4-2017 to the Council as a first reading and explained that the Council will be able to vote on the issue at the next meeting.

**R-29-2017**- Approving an extra-territorial jurisdictional (ETJ) Land Division request by Tom Matson for property located at and adjacent to 3213 County Highway A, Town of Rutland, Wisconsin.

Motion by Truehl, to approve R-29-2017, second by Engelberger. Truehl explained that this resolution would allow for a lot line adjustment to give more property to an adjacent land owner.

Motion carried 12-0.

**R-30-2017-** Approving an extra-territorial jurisdictional (ETJ) Land Division request by Jason Perry for property located at 1928 Williams Drive, Town of Pleasant Springs, Wisconsin.

Motion by Truehl, to approve R-30-2017, second by Jenson. Truehl explained that this lot would be split between residential use and agricultural use. Motion carried 12-0.

**City Attorney update regarding Historic Preservation Ordinances**

Attorney Dregne gave the Council an overview of the City's current ordinances relating to historical places and of his work on the historic preservation ordinances.

He explained that the City currently has two chapters within the ordinances that apply to historical places within the City. He noted that the two chapters do have overlapping and non-concurrent language. He noted that he would like to work further with the Landmarks Commission, but wanted Council direction on how to proceed.

Motion by Hirsch, to direct Attorney Dregne to work with the Landmarks Commission to review Chapter 38 and Chapter 78 of the City ordinances and report to the Committee of the Whole with the findings in May 2017, second by Majewski.

Motion carried by a roll call vote of 9-2, with O'Connor and Jenson voting no and Kittleson abstaining.

**R-31-2017-** Resolution by the Common Council of the City of Stoughton Approving the Hilldale Park Condominium.

Motion by Truehl, to approve R-31-2017, second by Jenson. Truehl explained this resolution would allow owners of a duplex to convert it into a condominium to adhere to the Public Safety Commission rules regarding shared sewer laterals. Engelberger explained that he did not agree with the request and felt that this was a way to get around the PSC standards. Motion failed on a roll call vote of 5-7, with Bartlett, Hirsch, Swadley, Boersma, Johnson, Majewski, and Engelberger voting no.

**R-32-2017-** Resolution by the City of Stoughton Common Council approving a Certified Survey Map (CSM) to combine the properties located at 753 and 761 Nottingham Road, City of Stoughton.

Motion by Truehl, to approve R-32-2017, second by Engelberger. Truehl noted that this would combine two lots to create a larger single family home lot. Motion carried 12-0.

**R-33-2017-** Resolution by the City of Stoughton Common Council approving a Certified Survey Map (CSM) to split the property located at 3201 McComb Road, Stoughton.

Motion by Truehl, to approve R-33-2017, second by Engelberger. Truehl explained that this would be where the City would develop its new substation. Hirsch and Johnson spoke against the placement of the substation. Motion carried on a roll call vote 10-2, with Johnson and Hirsch

voting noe.

**R-34-2017-** Authorizing and directing the proper City official(s) to make a payment of \$8,000 to the Stoughton Fair Association to provide a fireworks display for the Stoughton Fourth of July Celebration.

Motion by Lawrence, to approve R-34-2017, second by Swadley. Lawrence explained that this would allow the City to pay the Stoughton Fair Association \$8,000 for a fireworks display to be held on the Fourth of July. Motion carried on a roll call vote of 10-2, with Boersma and O'Connor voting noe.

**R-37-2017** - Authorizing and directing the proper City official(s) to enter into an agreement with Forest Landscaping & Construction, INC for the 2017 Street and Utility Construction Contract 1-2017.

Motion by Majewski, to approve R-37-2017, second by O'Connor. Director of Public Works Hebert explained that this contract would allow for the street and utility construction for 2017. He also explained that the City had used Forest Landscaping & Construction last year for the street construction. Motion carried 11-0, with Boersma abstaining.

**R-38-2017** - Authorizing and directing the proper City official(s) to enter into an agreement with Crack Filling Services for the 2017 bid for crack filling project.

Motion by Majewski, to approve R-38-2017, second by Engelberger. Director of Public Works Hebert explained that this is an annual contract that the City bids out. Motion carried 11-0, with Boersma abstaining.

**R-39-2017** - Authorizing and directing the proper City official(s) to enter into an agreement with Olson Toon Landscaping.

Motion by Majewski, to approve R-39-2017, second by O'Connor. Director of Public Works Hebert explained that this agreement would be for the planting of City trees. Motion carried 11-0, with Boersma abstaining.

**The Council may convene in closed session pursuant to Wis. State Statute 19.85(1)(e) to consider the acquisition of property for Public Works Facility, Stoughton, WI and may return into open session to take action on matters discussed in closed session.**

Motion by Lawrence, to convene into closed session, second by Truehl. Motion carried 12-0. The Council convened into closed session at 11:05 p.m.

Motion by Lawrence, to reconvene into open session, second by Majewski. Motion carried 12-0. The Council reconvened into open session at 11:34 p.m.

**R-45-2017-** Resolution of Necessity relating to the acquisition of land needed for a new public works facility.

Motion by Lawrence, to approve R-45-2017, second by O'Connor. Motion carried by a roll call vote 8-4, with Bartlett, Kittleson, Boersma, and Johnson voting noe.

**ADJOURNMENT**

Motion by Lawrence, to adjourn the meeting of Common Council, second by Majewski. Motion carried 12-0. The meeting of the Common Council adjourned at 11:39 p.m.