

Meeting of: **COMMON COUNCIL OF THE CITY OF STOUGHTON**
Date/Time: Tuesday, July 25, 2017 @ 7:00 p.m.
Location: Council Chambers (2nd 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, Tom Majewski, Pat O'Connor, Lisa Reeves, 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 eleven persons were present with Boersma being absent and excused.

Mayor Olson congratulated Clerk Kropf on her graduation from the UW-Green Bay Municipal Clerks Institute a couple of weeks ago. She noted that Kropf received a full scholarship, from the Wisconsin Municipal Clerk's Association (WMCA) and Workhorse Software that covered her tuition.

Mayor Olson noted that several visitors from Norway had come to City Hall and that some of the visitors will be collaborating with the Stoughton Norwegian Dancers. They will be showcasing their work at the Stoughton Opera House on Thursday, July 27, 2017.

Kittleson asked if the items relating to the creation of an Economic Development Director position and the Planning Commission's process on demolition of historic buildings can be switched. The Council agreed.

Swadley asked that citizens watch the joint Committee of the Whole and Stoughton Area School Board meeting on WSTO's website. He thanked Engelberger, Johnson and Jenson as well as the school board members for volunteering to serve on the ad hoc committee for each body. Swadley noted that he talked to Movin' Out about the RDA development and he would offer more information later in the meeting.

Presentation of Stoughton Highway Trailer Building Complex Survey Report by Stephen Mar-Pohl of In-site Consulting Architects

Stephen Mar-Pohl gave the Council a detailed overview of the Stoughton Highway Trailer Building Complex Survey Report. He commented on the buildings uniqueness relating to its age and noted that many areas of the building are deteriorating. He noted that he has been tasked to determine if the blacksmith shop building can stay, with others removed. He noted that it could be done, but would need to be completed in a way that would not jeopardize the remaining structure as they are connected. He explained the different options available based on the level of restoration. Option one would be the adaptive reuse of the entire complex which would preserve the building. That cost would be approximately \$2.25M- \$2.5M and this would simply stabilize the structure with no internal finishing. Option two would be a selective demolition of all but the "Blacksmith Shop". This option would allow for significant restoration of the junction of the blacksmith shop, and would stabilize the structure with no internal finishing. This project would cost approximately \$1.3M- \$1.5M. Option three would be a

complete demolition of all buildings and would cost approximately \$1M-\$1.2M. He noted that these are approximate numbers and the Council may consider more options at a later date.

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

- Redevelopment Authority (6/14/2017), Commission on Aging (6/6/2017), Library Board (6/21/2017), Housing Authority (4/12/2017), Landmarks Commission (6/22/2017), Parks & Recreation Committee (1/25/2017 & 3/22/2017), Planning Commission (6/12/2017), Public Works Committee (6/20/2017), Tree Commission (4/12/2017), and Utilities Committee (6/19/2017)
- May 2017 Treasurer's Report
- Utilities Financial Report

Public Comment Period:

No persons registered to speak.

CONSENT AGENDA

- A. July 11, 2017 Council Minutes
- B. July 18, 2017 Joint Committee of the Whole/RDA Minutes

Motion by O'Connor, to approve the consent agenda, second by Truehl. Motion carried 11-0.

OLD BUSINESS

Status report regarding the street closure of East South Street and designation of the Highway Trailer Building as a local Landmark:

Mayor Olson explained that she met with the City's Risk Management, Emergency Personnel, Public Works, and the Planning Departments to close East South Street. Human Resources Director Gillingham noted that CVMIC agreed with the road closure and that the road should be completely closed. Police Chief Leck noted that there is currently bike and pedestrian traffic through that area. He noted that the street would need to be closed to that type of traffic as well. Fire Chief Wegner noted that the fire Department has witnessed accelerated deterioration and the building needs to be closed tighter to avoid any persons entering the building.

Swadley asked if the agenda would allow the Council to make a directive to the RDA, more specifically if the RDA would start the RFP process for the demolition of that area and if they could reach out to other developer's regarding its restoration. Attorney Dregne noted that the request would have to remain within the scope of the agenda and it would depend on what Alderperson Swadley is specifically looking for with his motion,.

Mr. Mar-Pohl noted that if a structure is on a national register of historic places then it could be demolished, but if it is designated as a local landmark it cannot be removed per local ordinance. The Landmarks Commission will be holding a public hearing on August 10, 2017 to discuss this building's possible historic designation. Utilities Director Kardasz wondered if the building had a fire in the past and if that was evident in Mr. Mar-Pohl's determination. He noted that he was not able to enter the building, but did see deterioration that could be attributed to a fire. Engelberger asked that the RDA contact James Gorman to see if they would honor their previous bid to restore it. Truehl noted that he, along with Alderperson Hirsch, will be bringing that option to the RDA at the next meeting. Hirsch

noted that she would like to know what the Council would like to do with the building and give that recommendation to the RDA.

Attorney Dregne noted that the Council and RDA interaction does have a formal process through State Statute. The RDA has been charged with preparing a redevelopment plan and the RDA has followed that process. The City Council has the authority to approve it and the current plan has been approved. He noted that the RDA should come back to the Council with an amended redevelopment plan for Council's input. That would allow both bodies to collaborate together for the ultimate end result. Truehl would like to reach out to James Gorman to inquire if his company would restore those buildings and then the RDA can move forward with the redevelopment plan. He would also ask that the building not be designated as a landmark at this time, as not to hinder the RDA/Council process to move forward with the project.

Motion by Engelberger, requesting that the Council support the designation of the Stoughton Highway Trailer Building as a local landmark, second by Johnson. It is the understanding of the Council that this motion is not an official designation of the Stoughton Highway Trailer as a local landmark, but rather support of its designation. Attorney Dregne noted that the Council cannot designate the Stoughton Highway Trailer Building as a landmark without following the public hearing process as dictated by local ordinance.

Substitute motion by Hirsch, requesting that the Council express its support for the preservation of the Stoughton Highway Trailer Building Complex, second by Kittleson. This motion replaces the original motion as made by Alderperson Engelberger. Motion carried 8-3, with Truehl, Jenson, and O'Connor voting no.

Discussion and possible action regarding approval of funding for additional fencing and barricades for the East South Street closure.

Motion by O'Connor, to approve the funding of the additional fencing and barricades for the East South Street Closure, second by Truehl. O'Connor noted that the cost would be approximately \$1,700 and would be paid for through the contingency fund. This fence is to be rented and the price is for a six month rental period. Motion carried 11-0.

R-83-2017- Authorizing and Directing the proper City official(s) to Award the Bid for the Milfab Site Demolition in the Riverfront Redevelopment Area Located at 433 East South Street, Stoughton, WI.

Motion by Truehl, to table until the State budget is approved and adopted, second by Engelberger. Motion carried 11-0.

NEW BUSINESS

R-112-2017 – Resolution to authorize and direct the proper City official(s) to enter into an agreement with R.G. Huston Co., Inc. for the 2017 Business Park Detention Basin Contract 2-2017.

Motion by O'Connor, to approve R-112-2017, second by Truehl. O'Connor noted that this work will be done at the NAFA site and needs to be done by the end of the year. He noted that the

budgeted amount for this work was \$500,000 and the bid came in at \$478,714.25. Motion carried 11-0.

R-113-2017 – Resolution to authorize and direct the proper City official(s) to enter into an agreement with Raymond P. Cattell, Inc. of Madison for the 2017 Troll Beach Parking Lot Contract 3-2017.

Motion by O'Connor, to approve R-113-2017, second by Truehl. O'Connor noted that this project came in under bid. Motion carried 11-0.

*** *The Council may meet in closed session per State Statute 19.85 (1)(e) to consider the proposed 2018 Police Department Union Contract. The Council may reconvene in open session to take action on matters discussed in closed session.*

*****R-114-2017**- Resolution to Authorize and Direct the proper City official(s) to Approve the 2018 Police Department Union contract

Motion by Johnson, to convene the Council into closed session, second by O'Connor. Motion carried 11-0. The Council convened into closed session at 8:42 p.m.

The Council reconvened into open session at 8:57 p.m.

Motion by Majewski, to approve R-114-2017, second by Engelberger. Majewski outlined the changes within the contract. Motion carried on a roll call vote 11-0.

Discussion and possible action regarding the creation of an Economic Development Director position.

Motion by Swadley, to direct the Mayor to include Economic Development Director position options before introducing the executive budget, second by Majewski.

Amendment by Majewski, to direct the Finance Director to develop and explore possible impacts on the City budget for the creation of an Economic Development Director position, second by Swadley.

Motion by Majewski, to direct the Human Resources Director to work with the Finance Director to explore options for a budget and job description for the position of an Economic Development Director, second by Swadley. Motion carried on a roll call vote 9-2, with Kittleson and O'Connor voting no.

Kittleson left the meeting at 9:12 p.m.

Discussion and possible action on the Planning Commission process and procedures relating to the Demolition of Historic Building.

Engelberger read a memo he prepared aloud to the Council. His memo outlined the process that was followed in the request by the owner of 315 E Main St to demolish that property. Attorney Dregne noted that he had not seen the memo prior to tonight's meeting and could not offer a point by point answer at this time. Engelberger explained that the application for the demolition

was applied for prior to the current owner taking ownership of the home and land. At that time a new application was not turned in and the current one was allowed to continue through the process. The process to demolish a building in the current code, would follow the same process as the conditional use permit, that process has not been followed. The demolition request noted that the vacant land would be a "private park" and a park is not allowable as a conditional use. He noted discrepancies in municipal code 78-913 in regards to the Landmarks Commission and Planning Commission. Swadley noted that he felt that the Council should have approved the proposed use for the land before the Planning Commission could consider a demolition request.

Motion by Engelberger, to direct the city attorney to provide a legal opinion on whether or not the actions taken on demolition application are valid or invalid in light of the fact that the original application was submitted by the prior owner and a new written application was not submitted by the current owner, second by Majewski. Motion carried 9-1, with O'Connor voting no.

O'Connor left the meeting at 10:00 p.m.

Motion by Engelberger, to direct the City Attorney to reconsider his legal opinion regarding whether the Conditional Use Permit procedure followed in its entirety for project review proposals, second by Hirsch. Motion carried 9-0.

Motion by Engelberger, to direct the City Clerk to determine whether or not the downtown design overlay zoning district is in fact a historic district is under the provisions in Chapter 38 of the City of Stoughton Municipal Code or under the national registry of historic places, second by Hirsch. Motion carried 9-0.

Motion by Truehl, to direct the City Attorney to address the concern that the process is being used to obtain approval of use of the property that may not be allowable under the current zoning code, second by Engelberger. Motion carried 9-0.

Jenson left the meeting at 10:19 p.m.

Attorney will bring findings to the August 8, 2017 Common Council meeting.

ADJOURNMENT

Motion by Hirsch, to adjourn the meeting, second by Majewski. Motion carried 8-0. The July 25, 2017 meeting of the Common Council adjourned at 10:22 p.m.