

City of Stoughton

Common Council Minutes

March 8, 2011

Mayor Donna Olson presided at a Regular Meeting of the Common Council of the City of Stoughton, Dane County, Wisconsin, held in the Council Chambers located in the Public Safety Building, on Tuesday, March 8, 2011. Mayor Olson noted a quorum present and called the meeting to order at 7:00 pm.

Roll Call / Proclamations/ Presentations:

City Clerk Kelly Michaels called the roll noting the following Alderpersons were present: Tone, Weiss, Swangstu, Lawrence, Christianson, McKichan, Chenoweth, Scovotti, Olstad, Hohol, Carter. The following Alderperson was excused: Jenson,

No proclamations were made.

Presentation: Karl Manthe – Street Departments Operations

An update was given on the use of brine for de-icing streets. It was reported that they are working with the mix ratio of 80-10-10 and it appears to be working well as streets are melting off. He noted that every snow storm is different with respect to moisture content so it is something they will continue to monitor for effectiveness. Manthe indicated they are still in their winter campaign period and are reminding residents not to push snow into the streets. He stated they are sending out notices to educate residents as to the City's policies and encourage better snow removal practices. He reported garbage day is especially difficult when carts are placed in the street and noted the carts should be in the driveway area to help plows with clean up efforts.

Moving on to the "construction" season, Manthe gave a brief synopsis of the East Main Street Project soon to be under way. He indicated letters were sent out on February 10th to notify residents in the area of the project. He cautioned council members they may receive calls regarding the project as it relates to trees. He assured members they are very sensitive to trees and do their very best to keep as many as they can. He explained that some trees will sustain root damage during a project such as curb and gutter, which causes a die off within a few years. He reported a public information meeting to talk about assessments will be held on March 21st and the preconstruction meeting will start very soon as well. He indicated residents may see Alliant Energy out there as soon as next Monday or Tuesday to do some preliminary work.

Manthe closed his presentation by noting the Yard Waste Site is scheduled to open April 2nd with the first brush collection to take place on Monday, April 4th. He noted that street sweepers and spray patchers would be out shortly as well. Lawrence questioned potholes. Manthe explained that the spray patcher is used for patching potholes and they will be getting out soon.

Mayor Olson introduced Ann Kinney, of the GFOA (Government Finance Officers Association) to update the council on our Budgeting for Outcomes initiative.

Ann Kinney gave a brief overview of their role noting their job with the City was to provide advice and training with various teams involved in the budgeting process. She noted they would be here today and tomorrow to help the teams do a cause and effect analysis. She reported the analysis process begins with priorities from citizens of the community. Results teams worked throughout today and did a very good job. She explained that tomorrow they would go through a stage to get programmatic budget numbers. She explained that this is just the first stage of the entire process. She reported they would be finishing up the cause and effect mapping which will show relationships between cause and effect priorities. She stated they would be coming back two or three more times as staff goes back through the budget process.

Chenoweth stated that when they were here in November or December, the process was to have council participating. He questioned when the council would be involved. Kinney responded that nothing is done until it is completely done. She explained that they will be bringing the cause and effect mapping to the council which will give you the opportunity to talk about this information from the teams.

Mayor Olson explained that the first step was the gathering of community information during a Saturday session in which all or most council members were present and participated in that process. She noted that she along with many others have been asked how we are going to deal with the issues coming from the state. One of our strategies can be to use this process to identify what the priorities are in this community as we go forward with the limited resources we have.

Kinney congratulated the City and noted they seldom go to Cities where so many staff members are participating as residents of their community. Olson indicated staff members had instructions to wear their community minded hats.

Reports / Claims / Communications:

The following minutes were presented and placed on file: Business Park North Committee 2/14/2011, Finance Committee 1/25/2011, Landmarks Commission 2/9/2011, Planning Committee 2/22/2011, Stoughton Arts Council 1/4/2011

Olson noted there was information regarding New Officials Workshop on their desks. If anyone wished to attend, they should get the information to the Clerk to get them registered.

City Clerk, Kelly Michaels shared some fun facts relative to the recent February Election. She noted residents turned out at a rate of 18% which equates to 1,276 of total registered voters. She reported 88% of the 1,276 voted in person at a poll site and 12% voted by absentee ballot.

Public Comment:

Chief Leck spoke regarding the Truancy Ordinance being considered by council. He noted there were some unintended consequences that were not addressed at committee. He asked the council to send the ordinance back to committee for additional work in those areas.

Mary Fons, 500 S Page Street, Stoughton spoke against the truancy ordinance. She represented those students who are home schooled and wanted council to know how the ordinance would affect those non-traditional students. She also asked that the ordinance language with reference to the assumption of criminality be reviewed.

Deborah McMillin – 126 S. Page Street, Stoughton spoke against the truancy ordinance noting the ordinance would be detrimental in the relationship between home school kids and the police. She noted her kids have been stopped by police before and told officers they are home schooled. She expressed concern of a long reaching mistrust between children and police. She stated she would hate for home schooled kids to be on street and have to think of an excuse as to why they are eating ice cream at 1:00 in the afternoon. She asked members to consider these things and how to differentiate between the public kids and home schooled kids.

Additional individuals who registered their opposition but did not speak were Chris Cook, 115 S. Prairie Street; Marlene Widra, 524 Lowell; Laurie Schellinger, 105 W. Wilson; Doug Reed, 308 W. McKinley St; Laurie Gueritt, 202 S. Jefferson Street; Katherine Peterson, 235 E. McKinley Street; Suzannah Tebon, 433 West Street; Elyse Tebon, 433 West Street; Jeff Smith, 1517 Moline Street; Maritza Pfanku Stewart, 108 S. Page Street.

Consent Agenda:

Motion by Lawrence, second by Carter to adopt items on the consent agenda as follows. Motion carried 11-0.

- 1) Minutes of a previous meeting: February 18, 2011.

Old Business:

None.

New Business:

O-8-2011

Motion by Scovotti, second by Carter to refer the ordinance of the Public Safety Committee amending Sections 50-12 of the Municipal Code of the City of Stoughton, related to Truancy back to the Public Safety Committee for additional review. Motion carried 11-0.

Scovotti thanked the public for sharing their views and invited them to attend the Public Safety Committee being held on March 23, 2011.

O-6-2011

Aldersperson Carter introduced an ordinance of the Public Works Committee to repeal and recreate Section 64-14 of the Stoughton Municipal Code related to Street trees for 1st reading. **Note the Council may at their discretion, suspend Rule 2-42 to waive the second reading requirement in order to act on this ordinance.* No action taken. The matter will be placed on the March 22nd council meeting agenda for 2nd reading.

R-3-2011

Motion by Carter, second by Lawrence to postpone to the March 22nd council meeting a resolution of the Public Works Committee approving the Street Trees Removal and Maintenance Policy. Motion carried 11-0

R-20-2011

Motion by Scovotti, second by Carter to adopt a resolution of the Public Safety Committee authorizing and directing the proper city official(s) to approve an application for a Class "B" Beer & Liquor License to Mark John Jolicoeur, agent dba Stoughton Draft House located at 800 Nygaard Street. Motion carried 11-0

Scovotti gave a brief overview of plans for the Broux House noting the property has been purchased by Mark to reopen with dinner, lunch and beverages at the premise. He noted he was pleased to have them as part of the community.

R-21-2011

Motion by Scovotti second by Carter to adopt a resolution of the Public Safety Committee authorizing and directing the proper city official(s) to approve revisions to the Operator's License Application(s) and revisions to the Operator's License policy. Motion carried 9-2 on a voice vote.

Scovotti thanked staff involved in revising this process including: City Clerk, Kelly Michaels, Deputy Clerk, Pili Hougan, Attorney Matt Dregne and Police Chief, Greg Leck for their contributions in bringing their expertise to the process. He noted the new process involves a two year licensing period for renewals which will make the renewal process more efficient while still holding operators accountable.

McKichan questioned the requirement on the application to list all convictions. Attorney Dregne explained that it is difficult on an application to tell the applicant which ones are appropriate to list and which ones don't pertain. It is much more efficient to ask them to list all of them. Chief Leck agreed and felt it was important to list all rather than to expect applicants to know which one should be listed. He also noted that their scope of checking is local and does not include records out of state, so listing them all helps the City with knowing when to dig a little deeper.

McKichan noted there are times when community service erases the offense from a person's record. Leck agreed and pointed out that they don't list anything but convictions so if their record has been erased they would not list it. Lawrence questioned whether the reason they were asking the applicant for their complete conviction information was because we aren't always able get all the information. Leck agreed.

R-22-2011

Motion by Olstad, second by Chenoweth to adopt a resolution of the Council Affairs Council Policy Committee authorizing and directing the proper city official(s) to approve the Standing Committee, Utilities Committee, and Planning Commission Meeting Times Policy. Motion carried 11-0

Olstad explained that the underlying factors in determining the time to be no earlier than 6pm., was to make sure we go out of our way for public input.

R-23-2011

Motion by Tone, second by Carter to adopt a resolution of the Finance Committee declaring an intent to exercise special assessment powers under section 66.0701, Wisconsin Statutes, in the City of Stoughton for the improvement of sidewalk, curb and gutter, driveway aprons and carriage walks on east main street within the city of Stoughton. Motion passed 10-0 with 1 abstention as noted below.

Tone noted the matter went to Finance this evening and was recommended for approval 4-0. He noted the resolution is a preliminary assessment and a public hearing will be scheduled.

R-23-2011	Yes	No	Abstain
Chenoweth	1		
Jenson	-		
Scovotti	1		
Olstad	1		
Hohol	1		
Carter	1		
Tone	1		
Weiss	1		
Swangstu	1		
Lawrence	1		
Christianson	1		
McKichan			1
Result	10	0	1

O-7-2011

Aldersperson Scovotti introduced an ordinance of the Public Safety Committee repealing and recreating Sections 14-31(1), (2) and (6); and Section 14-42, related to alcohol beverage licensing as a 1st reading. **Note the Council may at their discretion, suspend Rule 2-42 to waive the second reading requirement in order to act on this ordinance.* No action taken. The ordinance will be placed on the March 22nd council meeting agenda for 2nd reading.

McKichan questioned where the old version was. Chenoweth agreed and indicated they'd like to maintain policy to have a copy of the old version with the phrases struck and the new phrases inserted at the first reading. Attorney Dregne noted he had prepared the draft and didn't show changes. He noted he would be happy to do that on this item which will be before them at the next meeting. Chenoweth agreed and stated it is very important to see the changes being made.

Scovotti gave a brief historical summary of the item noting it was brought to the committee's attention about 6 - 8 months ago during discussions of a license suspension. He noted the City Attorney's observation was that the ordinance had a few loop holes that needed shoring up and the point system needed review. The ordinance has been recrafted to better address potential problems that the Public Safety Committee and Council would have to address later down the road.

Committee of the Whole

Aldersperson Carter introduced a request to schedule a date and time to hold a Committee of the Whole meeting to discuss Governance as it relates to Redistricting Aldermanic Boundaries to decrease the number of Alderspersons and a City Manager/Administrator form of governance. He noted his reasons for wanting to discuss these issues at this time is with redistricting coming soon, this may be an opportunity to consider reducing the alderspersons from 12 to 9. The second part is to determine whether there is interest on the part of council to go in that direction as we would need to get considerable legal guidance.

Carter suggested meeting immediately after the next council meeting on March 22nd.

Several members expressed concern about having yet another meeting and what could be accomplished before a new council is seated. Carter stated he was not sure whether they would accomplish much more than to set the guidelines as to what would need to be done, but agreed with having two new members on the council perhaps it should wait until after the reorganizational meeting. Tone felt it would be better suited to the new council. Carter stated that's fine and noted the aldermanic redistricting has a time requirement as well. He stated he believed the first meeting is in August for redistricting. Carter indicated if the council chooses to, the ground work can be started.

Motion by Hohol, second by Swangstu to table the discussion. Motion failed 0-11.

Scovotti preferred to schedule the meeting right away, but noted it is problematic as the Council President is yet to be determined. Lawrence suggested it be placed on a later agenda and dealt with later. Christianson agreed and indicated a timeline would be appropriate. Hohol questioned the process. Lawrence noted the Council President can call a Committee of the Whole meeting anytime, but over the years we've decided this as a group, for purposes of courtesy.

Motion by Chenoweth, second by Christianson to postpone this item to a date certain and ask that the Clerk place it back on the Council agenda for April 26th, 2011 meeting. Motion carried 11-0.

Motion by Lawrence, second by Olstad to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:00 pm.

Respectfully submitted,

Kelly Michaels, WCMC, CMC
City Clerk/Personnel Director