

March 23, 2010

Common Council Minutes
Council Chambers, Public Safety Building

Mayor Jim Griffin presided at a Regular Meeting of the Common Council of the City of Stoughton, Dane County, Wisconsin, held in the Council Chambers, Public Safety Building, on Tuesday, March 23, 2010 convening at 7:00 p.m.

City Clerk Alme called the roll and the following Alderpersons were present: Chenoweth, Jenson, Lawrence, McKichan, Odland, Olstad, Tone and Weiss. The following Alderpersons were absent and excused: Carter, Christianson, Scovotti and Swangstu.

Moved by Tone, seconded by Jenson, to approve claims, as recommended by the Finance Committee, in the amount of \$481,925.80. Motion carried unanimously on roll call.

Moved by Lawrence, seconded by Chenoweth, to approve claims, as recommended by the Utilities Committee, in the amount of \$1,740,864.86. Motion carried unanimously on roll call.

Communications: None.

Public Comment Period: Moved by Chenoweth, seconded by Jenson, to suspend the rules and allow all persons to comment during the public comment period. Motion carried unanimously by acclamation. The following persons spoke in regards to the consideration of a resolution supporting passage of the Stoughton School District referendum questions on the April 6, 2010 ballot: Fred Waldburger-616 West Main Street; Sara Downie-124 S. Morris Street; Kristi Panthofer-201 S. Franklin Street; Lori Matthews-332 W. McKinley Street; Terry McArdle-700 Greig Trail; Buzz Davis-1021 Riverview Drive; Robin Greenler-2625 Oaklawn Road; Christa Westerberg-333 W. McKinley Street; Olivia Panthofer-201 S. Franklin Street; Dawn Barkey-420 Pleasant View Drive; Steve Kvalheim-525 N. Van Buren Street (letter read by Alderperson McKichan).

Moved by Lawrence, seconded by Olstad, to approve the following consent agenda items as presented: The minutes of the March 9, 2010 Common Council Meeting; Finance Committee's recommendation to approve the February 2010 Treasurer's Report; the following reports: Library Board, Utilities Committee, Public Works Committee, Planning Commission, Ad Hoc Storm Water Utility Technical Advisory Committee, Parks and Recreation Committee, Stoughton Utilities Reports. Motion carried unanimously by acclamation.

Moved by McKichan, seconded by Tone, to adopt an ordinance to rezone the property at 623 Eighth Street from H-1 Heavy Industrial to PD-GDP – Planned Development-General Development Plan, as presented. Motion carried unanimously on roll call.

Moved by Tone, seconded by Jenson, to adopt a resolution awarding the sale of \$4,015,000 General Obligation Promissory Notes, Series 2010A, as presented. Motion carried unanimously on roll call.

Moved by Tone, seconded by Jenson, to adopt a resolution awarding the sale of \$3,095,000 General Obligation Refunding Bonds, Series 2010B, as presented. Motion carried unanimously on roll call.

Moved by Chenoweth, seconded by Weiss, to adopt a resolution supporting passage of the Stoughton School District Referendum questions on the April 6, 2010 ballot.

Aldersperson McKichan raised an objection to the consideration of the resolution. The Mayor asked the Council to vote on whether the resolution should be considered. Five members voted yes and three members voted no. The objection was not sustained and the Council proceeded with the consideration of the resolution.

Moved by Tone, seconded by Lawrence, to recess for 5 minutes at 7:45 p.m. to review the proposed resolution. Motion carried unanimously by acclamation.

Mayor Griffin brought the meeting back into session at 7:50 p.m. Mr. Davis spoke in favor of the resolution.

Motion by McKichan, seconded by Tone, to postpone indefinitely action on this proposed resolution. Motion failed 3-5 on roll call with Alderspersons Chenoweth, Jenson, Odland, Olstad and Weiss voting no.

Motion to adopt resolution carried 6-1 on roll call with Aldersperson McKichan abstaining and Aldersperson Tone voting no.

Moved by Lawrence, seconded by Tone, to approve the Stoughton Utilities 2009 Audit Report and Management Letter, as presented. Motion carried unanimously on roll call.

Moved by Lawrence, seconded by Tone, to approve the Stoughton Utilities proposed Electric and Water Tax Stabilization Dividends in the amount of \$30,496 (Electric) and \$6,048 (Water), as presented. Motion carried unanimously on roll call.

Moved by Lawrence, seconded by Chenoweth, to award the Stoughton Utilities East Side Water Main project to Smithback Excavating, Inc. of Deerfield, WI in the amount of \$201,395.25. Motion carried unanimously on roll call.

Moved by Lawrence, seconded by Chenoweth, to approve an amendment to the Stoughton Utilities 2010 Capital Projects Program to construct water and sanitary sewer reinforcement mains in South Van Buren Street between West Main Street and West South Street. Motion failed 3-5 on roll call with Alderspersons Chenoweth, McKichan, Olstad, Tone and Weiss voting no.

Moved by McKichan, to adopt a resolution for a conditional use permit to allow a community garden at the United Methodist Church property located at 525 Lincoln Avenue. Motion withdrawn by Alderperson McKichan.

Moved by McKichan, seconded by Tone, to table indefinitely a resolution for a conditional use permit to allow a community garden at the United Methodist church property located at 525 Lincoln Avenue. Motion carried unanimously by acclamation.

Moved by Tone, seconded by Jenson, to renew the Navitas membership renewal for March 2010 to March 2011, as presented. Motion carried unanimously on roll call.

Moved by Tone, seconded by Jenson, to approve a request by the Firefighters Pension Board to add the 2% insurance rebate to the firefighters pension fund to building principal along with an annual review and that the annual fund interest income and benefit payout be added to the Fire Department budget to obtain shared costs with fire service recipients. Motion carried unanimously on roll call.

Moved by Tone, seconded by Olstad, to approve a request to waive the fee of approximately \$1,300 for the sprinkler system at the Youth Center. Motion carried unanimously on roll call.

Moved by McKichan, seconded by Tone, to award the 2010 Street Construction Project to Forest Landscaping in the amount of \$495,324.00. Motion withdrawn by McKichan, second withdrawn by Tone.

Moved by McKichan, seconded by Tone, to table the award of the 2010 Street Construction Project to the next meeting. Motion carried unanimously by acclamation.

Alderperson McKichan presented an ordinance to amend Section 64-14 – Street Trees, for a first reading.

Moved by Chenoweth, seconded by Tone, to authorize City Attorney Dregne to send a letter to the owner on record of the property located at 314 West Main Street indicating that the City is taking the needed steps to acquire the property. Motion carried unanimously on roll call.

Moved by Tone, seconded by McKichan, to adopt a preliminary resolution declaring the 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 retaining walls on various streets within the City of Stoughton and setting a public hearing date of April 27, 2010. Motion carried unanimously on roll call.

Moved by Lawrence, seconded by Tone, to adopt a resolution relating to the acquisition of property at 501 East South Street by the Redevelopment Authority and approval of the offer to purchase property at 501 East South Street with the offer not to be signed until we have a signed option to purchase on 623 Eighth Street. Motion carried 7-1 on roll call with Alderperson McKichan voting no.

Moved by Lawrence, seconded by Olstad, to approve a revised option to purchase for the property at 623 Eighth Street. Motion carried unanimously on roll call.

Moved by Lawrence, seconded by Chenoweth, to approve an offer to purchase with Movin' Out, Inc. regarding 623 Eighth Street. Motion carried unanimously on roll call.

Moved by Lawrence, seconded by Chenoweth, to adopt an Initial Resolution Regarding Tax Incremental Financing for Movin' Out, Inc., as presented. Motion carried unanimously on roll call.

Moved by Lawrence, seconded by McKichan, to authorize the signing of a letter to WHEDA regarding tax incremental financing for Movin' Out, Inc. Motion carried unanimously on roll call.

Moved by Lawrence, seconded by Jenson, to adjourn the meeting at 9:10 p.m. Motion carried unanimously by acclamation.

Respectfully submitted,
Luann J. Alme
City Clerk/Personnel Director