

# April 27, 2010

Common Council Minutes

Council Chambers, Public Safety Building

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, Public Safety Building, on Tuesday, April 27, 2010 convening at 7:00 p.m.

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

Moved by Tone, seconded by Lawrence, to approve the general fund claims, as recommended by the Finance Committee, in the amount of \$598,600.57. Motion carried unanimously on roll call.

Moved by Chenoweth, seconded by Lawrence, to approve the Utilities claims, as recommended by the Utilities Committee, in the amount of \$2,009,349.74. Motion carried unanimously on roll call.

Communications: Alderperson Carter noted that there will be a request on the May 11<sup>th</sup> agenda to request a Committee of the Whole meeting on May 19<sup>th</sup> to get an update on the stormwater utility committee progress. Mayor Olson noted that the City has received notice that we will receive \$52,759.78 for the 2010 WI DNR Recycling Grant. Mayor Olson also noted that Stoughton Utilities has received the Tree Line USA award for the 9<sup>th</sup> year in a row. Mayor Olson also noted that Stellar Services will plant trees from the City tree nursery at their new facility in Business Park North.

Public Comment Period: None.

Moved by Lawrence, seconded by Chenoweth, to approve the following consent agenda items as presented: The minutes of the April 13, 2010 Common Council Meeting; the following reports: Library Board, Tree Commission, Utilities Committee, Ad Hoc Stormwater Utility Technical Advisory Committee, Planning Commission and Utilities Reports and Finance Committees recommendation to approve the March 2010 Treasurer's Report. Motion carried unanimously by acclamation.

Moved by McKichan, seconded by Scovotti, to adopt an ordinance to amend Section 50-3 – Offenses against public health and safety; regarding the smoking ban ordinance and restrictions on the use of laser pointers, as presented. Motion carried unanimously on roll call.

Mayor Olson closed the regular meeting and opened a public hearing regarding the intent to exercise special assessment powers for the improvement of sidewalk, curb and gutter, driveway aprons and retaining walls on various streets within the City of

Stoughton and Town of Dunkirk (Van Buren Street and Prospect Lane Project). Planning Director Rodney Scheel gave a presentation on the scope of the project.

There being no appearances, Mayor Olson closed the public hearing and reopened the meeting for the regular course of business.

Moved by Carter, seconded by Jenson, to adopt a final resolution authorizing improvements and levying special assessments against benefited property 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 Town of Dunkirk (Van Buren Street and Prospect Lane Project, as presented. Motion carried unanimously on roll call.

Moved by Tone, seconded by Scovotti, to approve the 2009 City of Stoughton Audit Report as presented by Baker Tilly Virchow Krause, LLP. Motion carried unanimously on roll call.

Moved by Tone, seconded by Lawrence, to approve the use of \$14,000 of park improvement funds for the Mandt Park pool shelter renovations. Motion carried unanimously on roll call.

Moved by McKichan, seconded by Lawrence, to adopt a resolution allowing for a conditional use permit for church and associated activities at 129 East Main Street, contingent upon code compliance as referenced in the March 2010 Planning Department staff letter, as presented. Motion carried unanimously on roll call.

Moved by McKichan, seconded by Carter, to approve the placement and operation of a community garden at Lowell Park located at 308 West Milwaukee Street. Motion carried by acclamation with Alderperson Chenoweth voting noe.

Moved by McKichan, seconded by Carter, to adopt a resolution allowing for a community garden at Lowell Park located at 308 West Milwaukee Street, as presented. Motion carried unanimously on roll call.

Alderperson McKichan placed an ordinance to create zoning code section 78-803(2)(I) to allow exempt signage on softball/baseball outfield fencing on City owned parkland for advertising purposes for a first reading and the corresponding policy for a first reading.

Moved by Carter, seconded by Scovotti, to award the 2010 sidewalk and curb and gutter replacement project to N & N Cement in the amount of \$84,900. Motion carried unanimously on roll call.

Moved by Carter, seconded by McKichan, to award the contract for the 2010 South Van Buren Street and Prospect Lane Construction Project to Forest Landscaping and Construction in the amount of \$420,645.

Aldersperson Chenoweth requested a 5-minute recess at 8:12 p.m. Mayor Olson called the meeting back to order at 8:17 p.m.

Motion to award contract to Forest Landscaping and Construction carried unanimously on roll call.

Moved by Tone, seconded by Carter, to close the meeting per State Statute 19.85(1)(e) and 19.85(1)(g) to confer with legal counsel regarding resolution of storm water and sidewalk related issues regarding the property located at 600 Sixth Street, Stoughton, Wisconsin. Motion carried unanimously on roll call.

Moved by Scovotti, seconded by Tone, to direct City Attorney Dregne to edit the letter to Mr. King per the discussion this evening and resubmit the letter to the Finance Committee to bring forth a recommendation to the Council. Motion carried unanimously by acclamation.

Moved by Scovotti, seconded by Chenoweth, to open the meeting at 9:13 p.m. Motion carried unanimously by acclamation.

Moved by Carter, seconded by Scovotti, to adjourn the meeting at 9:13 p.m. Motion carried unanimously by acclamation.

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