

City of Stoughton

Common Council Minutes

May 24, 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, May 24, 2011. Mayor Olson noted a quorum present and called the meeting to order at 7:00 pm.

Roll Call / Proclamations/ Presentations:

Clerk Kelly Michaels called the roll, indicating 9 Alderpersons present as follows: Swangstu, Swadley, Christianson, Lawrence, Chenoweth, Jenson, Hohol, Olstad, Peterson. Excused: Weiss, McKichan, Scovotti.

Heather Acker of Baker Tilly presented the 2010 City and Utilities Comprehensive Annual Financial Statements including Internal Controls Report and Financial Statement Highlights. She noted she did review these documents in great detail at the Finance Committee and highlighted a graph which includes five year trend analysis so members can see how their financial picture may be changing. She reviewed fund balances, general obligation debt, spending on debt service as it relates to the operating budget, trend information on general and debt revenue fund service, analysis of general and debt service expenditures, major service expenditures, summary of net assets to total assets, and recap of three active TIF districts (3, 4 & 5). She noted District 3 has paid off the debt and is now a donor district to the other two districts. Overall she indicated the City is in good financial health and security.

Swadley questioned whether there is a fund balance policy in the City. Sullivan noted the general undesignated fund balance is 10 – 15% of annual revenues and we are right in there. Swadley questioned a debt schedule for borrowed funds. Acker indicated the future debt service repayment schedules can be found on pages 48-53 in the complete audit.

Olstad questioned pg 5 the debt to revenue percentage of 65% and how that relates to other cities they audit. Acker noted it is a little high as they generally run 50% to the high 60's. She noted these don't include some of those funds that were rolled out a few years ago as that would impact the percentage. She noted those listed are the two primary funds that are supported by levy. Sullivan agreed and noted the EMS fund was rolled out in 2010 to an enterprise fund so it is very difficult to compare to prior charts as that fund contain significant dollars. She cautioned it was not an apples to apples comparison as those changes do affect the five year comparison in that area.

Acker thanked staff members and indicated it is always a pleasure to work with the City of Stoughton. She introduced Jody Dobson of Baker Tilly. Dobson presented highlight information for the 2010 Stoughton Utilities Audit Report. The summary included the three utilities (electric, water, wastewater) with comparison of 2010 to 2009 numbers in the following areas: unit sales, rate of return, overall debt ratio, operating revenues,

expenses, operating income and capital. She presented a summarized balance sheet for the Utilities containing a comparison of assets to liabilities.

Chenoweth questioned the management's perspective on water capital reserves. Utilities Director Robert Kardasz indicated his planning shows we will not need another well for about 20 years on the storage end. However, he noted we have a fair amount of 4 inch mains in the system and there will be an effort to replace undersized mains to strengthen the backbone of the system.

Chenoweth noted the rates have doubled even though there is a large grant contribution. Kim Jennings noted the grant is for the water tower so those dollars do not impact the operating side.

Mayor noted both the City and Utilities are in healthy status and thanked staff involved in accomplishing a successful audit.

Reports / Claims / Communications:

The following minutes were presented and placed on file: Library Board 4/20/2011, Plan Commission 5/9/2011, Public Safety 4/27/2011, RDA 4/13/2011, Utilities Committee 4/18/2011.

The following reports were presented and placed on file: 2010 City of Stoughton (CAFR) Comprehensive Annual Financial Statement including Internal Controls Report and Financial Statement Highlights. April 2011 Treasurer's Report, April 2011 Check Register (Claims), Library Administrative Report April 2011, Library Statistical Information April 2011, 2010 Stoughton Utilities (CAFR) Comprehensive Annual Financial Statement Report and Management Letter, Utilities Payments Due List Report, Utilities March 2011 Financial Summary, Utilities Statistical Information, Electric and Water Utilities Report to Wisconsin Public Service Commission.

Chenoweth welcomed back the Mayor from Norway and thanked staff for a very successful Syttende Mai Festival this year. He commended the Public Works and Police Departments in putting together a very nice plan of attack in making the weekend festival run smoothly.

Olson expressed condolences for the family of Richard Dilly who died unexpectedly in a motorcycle accident. She noted he was instrumental in the start up and continued success of the Vita program.

Public Comment:

Jamie Bush, 1149 Lincoln Road, Oregon Wisconsin. Spoke against City ordinance 14-38 in which a late filing application would not get their license renewed by one day for each day they filed late. He spoke of the personal loss to his business in shutting down his business for the length of time he was late. He noted his license was presented at the same time as those that were filed on the 15th of April. He stated the penalty is much more severe than anything he could do in violation of alcohol laws.

Consent Agenda:

Motion by Lawrence, second by Swangstu to adopt items listed on the consent agenda as indicated. Motion carried 9-0.

R-52-2011 Resolution of the Public Safety Committee authorizing and directing the proper city official(s) to issue a temporary (picnic) Class "B" / "Class B" Retailers License for the sale of fermented malt beverages to the Chamber of Commerce for their annual Coffee Break Festival to be held on Saturday, August 13, 2011 only.

R-61-2011 Resolution of the Public Safety Committee authorizing and directing the proper city official(s) to issue Liquor License as identified for the renewal period of July 1, 2011 through June 30, 2012.

New Business:

R-51-2011

Motion by Lawrence, second by Chenoweth to adopt a preliminary resolution of the Finance Committee declaring intent to exercise special assessment powers under Section 66.0701, Wisconsin Statutes, in the City of Stoughton, for the Curb, Gutter, Ramps Repair in the 2011 Grind and Overlay Street Project at various locations as indicated within the City of Stoughton. Motion carried 9-0 on a roll call vote.

R51	Yes	No
Scovotti		0
Chenoweth	1	
Jenson	1	
Hohol	1	
Olstad	1	
Peterson	1	
Weiss		0
Swangstu	1	
Swadley	1	
McKichan		0
Christianson	1	
Lawrence	1	
Result	9	0

R-53-2011

Motion by Hohol, second by Christianson to adopt a resolution of the Plan Commission approving an easement amendment between Movin' Out and the City of Stoughton for the property located at 623 Eighth Street, Stoughton WI. (Named "First Amendment to Easement"). Motion carried 9-0.

R-54-2011

Motion by Lawrence, second by Chenoweth to adopt a resolution of the Finance Committee authorizing and directing the proper city official(s) to write off the 2009 Delinquent Personal Property Tax Bills that have proven to be uncollectible and charged back for a total amount of \$1,559.10. Motion carried 9-0, roll call vote.

R54	Yes	No
Chenoweth	1	
Jenson	1	
Hohol	1	
Olstad	1	
Peterson	1	
Weiss		0
Swangstu	1	
Swadley	1	
McKichan		0
Christianson	1	
Lawrence	1	
Scovotti		0
Result	9	0

R-57-2011

Motion by Christianson, second by Chenoweth to adopt a resolution of the Public Safety Committee authorizing and directing the proper city official(s) to issue an Operator's License to Kristin Jeffers. Motion failed 0-9.

R-58-2011

Motion by Christianson, second by Chenoweth to adopt a resolution of the Public Safety Committee authorizing and directing the proper city official(s) to issue an Operator's License to Lindsay Shaub. Motion failed 0-9.

PUBLIC HEARING: Mayor Olson opened the public hearing pursuant to Stoughton Municipal Code 14-254 for the purpose of gathering public comment as it relates to determining the public convenience and necessity of Union Cab of Madison Co-op providing Taxi-cab services in the City of Stoughton.

David Handt, 1844 Williams Drive, Pleasant Springs representing Christian Assembly Church expressed concern with having two companies which would possibly cause both to struggle and go under. He questioned whether there was enough business long term to support two companies?

Larry Roberts, 1508 Moline Street, Stoughton supported having additional service as there is no service after 9:00 pm., at night and there is a need. He did not wish to eliminate competition as he felt it was a good thing.

Tricia Seuss, 316 Pine Street, Stoughton supported additional service to serve during those times when Stoughton Cab is unable to provide service.

Mayor Olson questioned whether anyone else wished to speak. Upon hearing no one, the public hearing was closed.

R-59-2011

Motion by Christianson, second by Chenoweth to adopt a resolution of the Public Safety Committee authorizing and directing the proper city official(s) to issue a Taxi License and Taxi Driver's License to Union Cab Cooperative. Christianson, Chenoweth, Peterson and Swangstu all spoke in favor of providing this service. Motion carried 9-0

R-60-2011

Motion by Christianson, second by Lawrence to adopt a resolution of the Public Safety Committee authorizing and directing the proper city official(s) to issue a Class "B" Beer & Reserve "Class B" Liquor License to WIS-TEX BBQ, LLC, Kristin Melton, agent, dba WIS-TEX BBQ, located at 620 Nygaard Street. Motion carried 9-0.

R-63-2011

Motion by Christianson, second by Lawrence to adopt a resolution of the Public Safety Committee authorizing and directing the proper city official(s) to issue Outdoor Alcohol Consumption Renewal Permits as identified, for the renewal period of July 1, 2011 through June 30, 2012. Motion carried 9-0.

R-64-2011

Motion by Christianson, second by Chenoweth to adopt a resolution of the Public Safety Committee authorizing and directing the proper city official(s) to issue Liquor License Renewal Permits as identified, for the renewal period of July 1, 2011 through June 30, 2012. Motion carried 9-0.

Addendum Agenda:

Motion by Chenoweth, second by Peterson to take the addendum prior to closed session. Motion carried 9-0.

R-55-2011

Motion by Hohol, second by Jenson to adopt a resolution of the Utilities Committee accepting the 2010 Stoughton Utilities Annual Audit Report and Management Letter. Motion carried 9-0 by roll call vote.

R55	Yes	No
Jenson	1	
Hohol	1	
Olstad	1	
Peterson	1	

Weiss		
Swangstu	1	
Swadley	1	
McKichan		
Christianson	1	
Lawrence	1	
Scovotti		
Chenoweth	1	
Result	<u>9</u>	<u>0</u>

R-56-2011

Motion by Hohol, second by Jenson to adopt a resolution of the Utilities Committee accepting the proposed 2010 Electric and Water Tax Stabilization Dividends. Motion carried 9-0.

CLOSED SESSION

Motion by Chenoweth, second by Jenson to enter into closed session pursuant to Wisconsin Statutes 19.85(1)(g) for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved and then to reconvene back into open session for the purpose of continuing the agenda as posted. Motion carried 9-0, on a roll call vote.

	Yes	No
Hohol	1	
Olstad	1	
Peterson	1	
Weiss		
Swangstu	1	
Swadley	1	
McKichan		
Christianson	1	
Lawrence	1	
Scovotti		
Chenoweth	1	
Jenson	1	
Result	<u>9</u>	<u>0</u>

Motion by Chenoweth, second by Peterson to reconvene in open session for the purpose of considering R-62-2011. Motion carried 9-0.

R-62-2011

Motion by Christianson, second by Chenoweth to table and refer back to Public Safety Committee a resolution of the Public Safety Committee authorizing and directing the

proper city official(s) to issue Liquor License as identified for the renewal period of July 1, 2011 through June 30, 2012 (for applicants who filed late - after April 15th). Motion carried 9-0.

Motion by Lawrence, second by Jenson to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:15 pm.

Respectfully submitted,

Kelly Michaels, WCMC, CMC
City Clerk/Personnel Director