

City of Stoughton

Common Council Minutes

June 14, 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, June 14, 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 12 Alderpersons present as follows: Weiss, Swangstu, Swadley, McKichan, Christianson, Lawrence, Scovotti, Chenoweth, Jenson, Hohol, Olstad, Peterson.

Reports / Claims / Communications:

The following minutes were presented and placed on file: Personnel 4/28/2011, Public Safety 5/19/2011 and Tree Commission 4/14/2011.

Alderperson Hohol announced CARPC had approved the urban amendment for the west side of the City of Stoughton.

Public Comment:

None

Consent Agenda:

Motion by Lawrence, second by Jenson to adopt items listed on the consent agenda as indicated. Motion carried 12-0.

Minutes of previous meeting(s): 5/10/2011

R-65-2011 Resolution of the Public Works Committee authorizing and directing the proper city official(s) to award the Emulsion Tank Quote to Enviro Tech Equipment Company.

Old Business:

Motion by Chenoweth, second by Scovotti to convene a Committee of the Whole Meeting Pursuant to action taken during the April 26, 2011 council meeting, the council convened into the Committee of the Whole during this section of the council meeting to hear public comment and to consider the following agenda: Motion carried 12-0.

- 1) Alteration of Aldermanic Districts as referred by the Council Affairs/Council Policy Committee.
- 2) Reorganization of the city administration function and structure to reflect a Council/City Manager or a Mayor/City Administrator form of governance.

The Mayor vacated the chair and Council President Carl Chenoweth presided for the Committee of the Whole meeting. The official minutes of the Committee of the Whole meeting are contained in a separate document.

During a rise and report, Chenoweth reported there was no recommendation from Committee of the Whole as it related to alteration of Aldermanic Districts (redistricting) and no recommendation as it related to reorganization.

Council President Chenoweth vacated the chair back to Mayor Olson.

Motion by Chenoweth, second by Christianson to call a brief recess. Motion carried unanimously. Mayor Olson announced that the meeting will recess for 5 minutes. The meeting of the common council was called back into session with Mayor Olson presiding.

New Business:

O-10-2011

Motion by Chenoweth, second by Peterson to suspend Rule 2-42 to waive the second reading requirement in order to act on the following ordinance immediately. Motion carried 11-0, with 1 abstention (Swangstu).

Motion by Christianson, second by Chenoweth to adopt an ordinance of the Public Safety Committee amending Sections 14-7(b) in Article I (General), 14-38(a) in Article II (Alcohol Beverages) and 14-461 in Article XVI (Fees), all in Chapter 14 (Businesses), of the Municipal Code of Stoughton, Dane County, Wisconsin (1st Reading). Motion carried 9-2 with 1 abstention (Swangstu) by roll call vote.

O-11-2011

Aldersperson Christianson introduced an ordinance of the Public Safety Committee amending Section 70-98(16) of the Municipal Code of Stoughton, Dane County, Wisconsin as it relates to Handicapped Parking (1st Reading). It was noted the matter was before the council for discussion and would come back for a 2nd reading and consideration on June 28th.

R-66-2011

Motion by Jenson, second by Lawrence to adopt a joint resolution of the Personnel and Finance Committees authorizing and directing the proper city official(s) to enter into a corporate membership agreement for fitness services between the City of Stoughton and Navitas Health & Fitness.

Aldersperson Scovotti spoke against the resolution. He noted he could not support this agreement as he believed the City was being ripped off. He explained that the average membership is \$400 or a senior citizen is \$300. With one person who goes often, the City will end up paying in excess of \$1,000 for a single membership. He stated his own membership will cost the City at least \$600. There are people who go less than 10 times per month but when an individual goes more than 10 times, we should not be

penalized for going more often. Scovotti suggested the contract be sent back to committee to renegotiate. Alderperson Hohol agreed and asked that the contract be sent to Finance Committee.

Motion by Scovotti, second by Peterson to refer R-66-2011 back to Finance Committee. Motion carried 12-0.

R-67-2011

Joint Resolution of the Personnel and Finance Committees authorizing and directing the proper city official(s) to enter into a corporate membership agreement for fitness services between the City of Stoughton and Anytime Fitness

Motion by Scovotti, second by Hohol to refer R-67-2011 back to Finance Committee based on same argument presented in the previous consideration. Motion carried unanimously.

R-68-2011

Motion by McKichan, second by Olstad to adopt a resolution of the Public Works Committee authorizing and directing the proper city official(s) to reject bids and rebid the 2011 Jefferson Street Stormwater Project. Motion carried 12-0 by roll call vote.

Chenoweth questioned the bid process. Planning Director Rodney Scheel indicated there were 3 alternatives to the bid that may have caused some companies to have issues with bonding. He stated there were 10 bids taken out so he was surprised when only one bid was received. Swadley questioned the timeline. Scheel stated they were delaying the project timeline from early July to late July or early August.

R-86-2011 CLOSED SESSION

Motion by Lawrence, 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 as it relates to the Jerry and Maxine King Claim related to the property at 300 South Sixth Street and then to reconvene back into open session for the purpose of acting on the closed session item if necessary and/or continuing the agenda as needed. Motion carried 12-0, on a roll call vote.

Motion by Chenoweth, second by Scovotti to reconvene into open session. Motion carried unanimously.

Motion by Chenoweth, second by Scovotti to authorize and direct the proper city official(s) enter into a settlement agreement and partial release between the City of Stoughton and Jerry and Maxine King and that the funding of the fix be included in the authorization. Motion carried 12-0 by roll call vote.

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Motion by Lawrence, second by Scovotti to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:40 pm.

Respectfully submitted,

Kelly Michaels, WCMC, CMC
City Clerk/Personnel Director