

# **MEETING NOTICE**

The **City of Stoughton** will hold a meeting of the **Business Park North Committee** on **Thursday, October 6, 2011 at 6:00 pm**, in the **Hall of Fame Room, Lower Level, City Hall**, 381 E. Main Street, Stoughton WI.

## **AGENDA:**

1. Call to Order
2. Consider approval of the Business Park North Committee meeting minutes of September 8, 2011.
3. Discuss letter to repeal the Business Park North Covenants.
4. Future Agenda Items.
5. Adjournment.

Keith Comstock – Chair, Business Park North Committee

9/26/11mps

Notice sent to:

### **Business Park North Committee**

Keith Comstock, Chair  
Randy McLaury, Chamber Rep., Vice-Chair  
Dave Phillips, Chamber Executive Director  
Mike Sasse, Chamber Rep.  
Planning Director Rodney Scheel  
Finance Director Laurie Sullivan  
Ross Scovotti, Council member  
Carl Chenoweth, Council member

\*Please contact Michael Stacey at 646-0421 if you cannot make it to the meeting.

**cc:** Zoning Administrator Michael Stacey  
Utilities Director Bob Kardasz (email)  
Stoughton Newspapers (fax)  
City Attorney Matt Dregne (e-mail)  
Department Heads & Council Members (e-mail)  
Pili Hougan (e-mail)  
Area Towns (e-mail)  
Derek Westby (email)

"IF YOU ARE DISABLED AND IN NEED OF ASSISTANCE, PLEASE CALL 608-873-6677 PRIOR TO THIS MEETING."  
**AN EXPANDED MEETING MAY CONSTITUTE A QUORUM OF THE COUNCIL.**

## **Business Park North Committee Meeting Minutes**

**Thursday, September 8, 2011 – 5:30 p.m.**

**Public Safety Building, Council Chambers, Second Floor, 321 S. Fourth Street, Stoughton, WI.**

**Members Present:** Chair Keith Comstock, Dave Phillips, Laurie Sullivan, Ross Scovotti, Carl Chenoweth (arrived at 5:45 pm) and Rodney Scheel.

**Absent and Excused:** Vice-Chair Randy McLaury, Mike Sasse

**Staff:** Mayor Donna Olson.

**Guests:**

1. **Call to order.** Comstock called the meeting to order at 5:31 p.m.
2. **Consider approval of the Business Park North Committee and Planning Commission meeting minutes of August 8, 2011.** – Motion by Phillips, seconded by Scovotti to approve the minutes as presented. Motion carried unanimously.
3. **Discuss the role and membership of the Business Park North Committee.** A general discussion took place about the role of the committee now that most of the lots have developed. As the Business Park started to develop, the committee evaluated the types of businesses seeking lands in the Park and played a role in evaluating the architectural aspects of each project. While the Committee has continued to participate in this process, the evaluation has focused more on items regulated by municipal codes such as the Zoning Code. The tools available to the Committee to enforce covenants are limited to negotiation and civil processes. Municipal code enforcement can be addressed in a more formal code violation process.

The current committee feels the covenants and the committee as outlined by the covenants do not serve the same purpose at this time. The committee discussed how to amend the covenants to change the role of the committee or whether to work to abolish the committee.

Motion by Chenoweth, seconded by Scovotti to direct staff to draft a letter that outlines the desire of the committee to repeal the covenants. The draft letter will be sent to each committee member for comment and then a meeting will be called to act on the letter. Each property owner will be requested to agree to the change (repeal) of the covenants before they can be changed. The committee members and owners of the lands in Business Park will play a role as an ambassador to repeal the covenants. Motion carried unanimously.

4. **Future Agenda Items.** Review draft letter to property owners.
5. **Adjournment.** Motion by **Phillips** to adjourn at 6:10 p.m., 2<sup>nd</sup> by **Scovotti**. Motion carried unanimously.

September 9, 2011

Name  
Address

Re: Business Park North Covenants and Committee

Dear Business Park North Property Owner:

As a property owner in Business Park North, your property is subject to the "Declaration of Restrictions Stoughton Business Park North" (Covenants). These Covenants have been used as a tool to evaluate and manage development since the inception of Business Park North.

Over time, various issues have arisen as a result of the Covenants. Some owners and Committee members have recognized many items contained in the Covenants are also regulated under the City of Stoughton Code of Ordinances. For some, this has created concern that there is duplication that causes confusion and additional oversight for property owners seeking to build or modify their buildings.

The Covenants established a Committee that administers the Covenants. The committee is comprised of the City Finance Director, City Planning Director, Chamber of Commerce Director, two (2) Chamber of Commerce Economic Development Committee members, and two (2) Common Council members. This committee has met several times and has determined the Covenants have outlived their usefulness and has proposed that the Covenants be repealed. This process requires each property owner agree in writing to this action.

What does the repeal of the Covenants mean to current property owners?

Currently any changes to your property or building require action by the Business Park North Committee and the City of Stoughton Planning Commission. If the Covenants are repealed, owners would not have to process their requests through the Business Park North Committee since it would be dissolved.

Requirements, such as landscaping, would not be governed by the Covenants but only by the municipal ordinances.

The current Committee believes the property owners are appropriately governed under the municipal ordinances as all properties are in the City. Additionally, the "extra" items contained in the Covenants have been considered more subjective and more difficult to enforce.

We are seeking your concurrence with our recommendation to repeal the "Declaration of Restrictions Stoughton Business Park North." If you agree with this recommendation, please sign the attached form and return to the City Clerk in the enclosed self addressed stamped envelope. If you would like to discuss this issue, please contact Business Park North Chairman, Keith Comstock at (608) 873-8500 (?) or Director of Planning & Development, Rodney Scheel at (608) 873-6619.

Sincerely,  
Stoughton Business Park Committee Chairman

Keith Comstock

DRAFT