

Meeting of: **COMMON COUNCIL OF THE CITY OF STOUGHTON**
Date/Time: Tuesday, December 12, 2017 @ 7:00 p.m.
Location: Council Chambers (2nd Floor of Public Safety Building)
321 South Fourth Street, Stoughton, Wisconsin
Members: Mayor Donna Olson, Tim Swadley, Matt Bartlett, Sid Boersma, Michael Engelberger,
Regina Hirsch, Greg Jenson, Kathleen Johnson, Dennis Kittleson, Tom Majewski, Pat
O'Connor, Lisa Reeves, and Scott Truehl

CALL TO ORDER

Mayor Olson called the meeting to order at 7:00 p.m.

Roll Call, Communications, and Presentations:

Finance Director LaBorde called the roll and noted that ten alderpersons were present. Majewski is absent and excused.

- Boersma addressed the passing of Mayor Helen Johnson. Thoughts and prayers to her family.
- Johnson thanked the 1892 Committee for compiling community input regarding future use of the 1892 building. The committee obtained a UW extension class to do the study regarding renovation costs. She expressed her thanks to the Committee.
- Boersma affirmed Johnson's thoughts on 1892 Committee regarding the importance of to looking at all of the possibilities however the final decision remains the school's decision.
- Director Scheel reminded everyone about the Open House outlining 2018 Street construction projects on December 19th at 6pm in the Fire Training Room.
- City Attorney update on Landmarks Commission work on Historic Preservation Ordinances
City Attorney met with the Commission and they wrapped up their work on the ordinances. He sent revised ordinance drafts out today. This will move to Plan Commission on January 8, 2018 for their review and recommendation. A public hearing is to be scheduled and then they will bring it forward to the Council. Michael Stacey has been posting updates on the city's website.

Minutes and Reports: The following minutes and reports were entered into the record:

- Finance Committee (11/14/17), Landmarks Commission (7/13/17 & 8/10/17), Tree Commission (9/4/17)

Public Comment Period:

Jim Peterson, 3089 Course View Drive, spoke in support of the Park & Recreation department and keeping a Parks & Recreation Director position.

Engelberger arrived at 7:07p.m.

Tricia Seuss, 832 W. Jefferson Street, spoke in support of the Park & Recreation department, keeping a Parks Recreation Director and promoting Dan into that position. She wanted to thank everyone for their service and thanked Tom for his service.

Tom Lynch, 400 W. McKinley Street, thanked the Council and Bob Kardasz for hiring him. He has been connected to the city for 45 years and became the Park/Recreation Director in 2000. He noted that has had a great run and will be retiring in January.

Gary Birch, 1017 Highland Drive, spoke in favor of the Park & Recreation department and keeping a Parks and Recreation Director position.

Bob Diebel, 316 Grant Street, spoke in favor of the Park & Recreation department and keeping a Parks and Recreation Director position.

Judy Singletary, 1034 Jerico Lane, Sun Prairie, spoke in favor of the Park & Recreation department, the Youth Center, and keeping a Parks and Recreation Director position.

Denise Duranczyk, 324 Sherman Street, wanted to thank Tom for all of his work. She spoke in favor of following City policy and believes a search should be done even though Dan may be the best person, there are policies in place that should be followed.

CONSENT AGENDA

- A. November 28, 2017 Council Minutes
- B. **R-172-2017** - Resolution Approving the appointment of Barbara Mason to the Commission on Aging and Kym Ackerman to the Utilities Committee
- C. **R-165-2017** – Resolution Appointing Election Inspectors for the 2018-2019 term
- D. **R-166-2017** – Resolution Authorizing and directing the proper city official(s) to issue Operator Licenses to various applicants.

Motion by Jenson, to approve the consent agenda, second by Johnson. Kittleson requested clarification on the November 28, 2017 council minutes to add that the December 26 meeting is being cancelled because of the holiday and that this meeting doesn't include a heavy docket. Engelberger requested to remove R-165 for discussion. Motion carried 11-0.

OLD BUSINESS

O-19-2017 - Ordinance amending the zoning classification of 314 W. Main Street, City of Stoughton from PB – Planned Business to PD – Planned Development-General Development Plan (GDP) (Second Reading)

Motion by Truehl, to approve O-19-2017 to amend the zoning classification of 314 W. Main Street, City of Stoughton from PB – Planned Business to PD – Planned Development-General Development Plan (GDP), second by O'Connor. Truehl noted that this is the former Marathon site and they are working with the potential developer that wishes to build two four-unit buildings on that site. Director Scheel clarified the standards related to the district. Motion carried 9-2, with Kittleson and Johnson voting noe.

NEW BUSINESS

R-165-2017 – Resolution Appointing Election Inspectors for the 2018-2019 term.

Motion by Engelberger to approve R-165-2017 to appoint election inspectors for the 2018-2019 term, second by Swadley. Engelberger stated that he removed this item because it looked like potential candidates for office were included on the list and he requested clarification. Bob McGeever who is running for office stated that he is listed as a chief inspector but that he would only work when he is not on the ballot and will not be working February or April. Motion carried 11-0.

R-167-2017 – Resolution Initiating Planning for an Amendment of Tax Increment District #5 and a New Tax Increment District for the Riverfront Redevelopment Area

Motion by O'Connor, to approve R-167-2017 Initiating Planning for an Amendment of Tax Increment District #5 and a New Tax Increment District for the Riverfront Redevelopment Area, second by Truehl.

Mr. Becker presented information identifying that TID 5 is in a decrement situation. The RDA is looking at planning for a new TIF district in order to rethink the riverfront redevelopment area. The cost for planning could range from \$15,000 to \$20,000. Discussion took place regarding costs related to the TID and how certain costs could be transferred to a new TID. Becker noted that he thinks that the best option is to create a vision and then go out and find a developer. Truehl noted that abatement started on the Milfab site with demolition starting in January and continuing through March. Motion carried 10-1, with Johnson voting no.

R-175-2017 – Resolution Authorizing the Common Council to Conditionally Approve a Class A Beer and Class A Liquor License for ALDI INC

Motion by Truehl, to approve R-175-2017 authorizing the Common Council to Conditionally Approve a Class A Beer and Class A Liquor License for ALDI INC, second by Jenson.

There was discussion regarding this unique situation and how it differs from other stores. Attorney Dregne noted that if the City wouldn't approve the resolution that the Clerk would need to notify Aldi's that the application was denied and the reason why it was denied. Hirsch noted that this license is in the same class as the Co-op & All through the House. Aldi's hours of operation is within the city's restricted hours of alcohol sales versus Walmart and Pick n Save. Chief Leck stated that Aldi's can only sell during certain times and the State sets the hours. Boersma stated his reasons for denying are if Aldi's stays open later than what they have now for hours, in the future other stores will be asking for the same thing and we will get other petitions, and he thinks that we have a number of places selling under class A and doesn't know where it stops – there are kids in those stores and it doesn't make a lot of sense to him. Kittleson stated that the City should make sure that the other two stores sign an agreement similar to the Aldi's agreement. Attorney Dregne stated that the other two stores are entitled to sell per the license they have received. Chief Leck will make the request but they are not required to enter into an agreement. Engelberger stated his reasons for denying are that any place that sells alcohol should be treated the same, a need for consistency and treated like a liquor store. Motion carried 9-2, with Engelberger and Boersma voting no.

R-168-2017 – Resolution to carryover Budgeted Funds from 2017 to 2018

Motion by O'Connor, to approve R-168-2017 to Carryover Budgeted Funds from 2017 to 2018, second by Truehl. Motion carried 11-0.

R-169-2017 – Resolution to Approve the Focus on Energy Incentive Agreement for Stoughton Public Works Facility

Motion by O'Connor, to approve R-169-2017 to approve the Focus on Energy Incentive Agreement for Stoughton Public Works Facility, second by Engelberger. Director Hebert noted that they have been working on energy saving strategies and obtained this grant. Once we move to construct the building they will verify the items were added to the building and then they will issue us a check for \$32,000. The grant includes lighting fixtures, HVAC systems energy efficient, and insulation. Motion carried 11-0.

R-170 -2017 – Resolution Authorizing and directing the proper city official(s) to approve the hiring of the Parks and Recreation Director position with no changes to the department structure/duties and to explore the promotion of the existing Recreation Supervisor to the Parks and Recreation Director's position

Motion by Johnson, to approve R-170-2017 authorizing and directing the proper city official(s) to approve the hiring of the Parks and Recreation Director position with no changes to the department structure/duties and to explore the promotion of the existing Recreation Supervisor to the Parks and Recreation Director's position, second by Truehl. Director Gillingham presented information related to the position.

Amendment to the motion by Boersma, to amend the resolution to approve the hiring of the Parks and

Recreation Director position with no changes to the department structure/duties and to promote the existing Recreation Supervisor to the Parks and Recreation Director's position, second by Hirsch. Motion carried 10-1, with Johnson voting no.

Johnson noted that she would like to have the option to look at other applicants and that this seems to be moving very fast. If the current supervisor is looking for other jobs, so be it. Director Gillingham stated that Personnel Committee did review the job description and the description was sent to the Council for this meeting. Kittleson noted that Dan has 9 years of experience and a master's degree. He has seen such a change in him over the last 9 years and would welcome him into the position. He stated that Dan is a visionary and thinks outside the box. Hirsch commended Director Lynch for being proactive to insure that the department has a plan to go forward; that says a lot about Tom. The department is run well. If the proposed whitewater park goes away that would be a huge loss. Dan has brought in experts from around the country and has brought the DNR to table. She recommends keeping the position as is and have a strong director such as Dan to lead the department. Johnson stated that she is looking at the parks planning end. Bartlett stated that he has been working on the Rivers & Trails Committee and can't imagine splitting the position. He supports bringing Dan to the position. He noted that the City has great parks and recreation programs for the community and that that is what drew him to the community. He thinks that Dan is overqualified for the position. Engelberger thanked Tom for his dedication to the city. He fully supports Dan. He asked the City Attorney if it is ethically proper to just do the internal hiring rather than doing a search. Atty. Dregne stated that it is consistently legal and prudent under the city policy. Reeves echoed the sentiments presented. She noted that the job description can always be improved and the Council can make those changes. She has seen first-hand the work that has been done and she doesn't want to lose the momentum. The City would be making a big mistake. Swadley noted that during budget process he had mentioned succession planning and would like to see more of this in the city. He always promotes from within and there is great benefit to doing that. He would love to have Dan share his vision for the department. Director Gillingham noted that with an internal candidate we already know their strengths and weaknesses.

The Council discussion concluded. Motion as amended carried 11-0.

R-171-2017 – Resolution Authorizing the Award of the Shared-Ride Taxi Service Contract for the City of Stoughton

Motion by O'Connor, to approve R-171-2017 authorizing the Award of the Shared-Ride Taxi Service Contract for the City of Stoughton to Running Inc., second by Swadley. The City received two proposals. There was discussion related to the RFP and the evaluation process. Kittleson requested that the new provider survey the riders in order to determine their satisfaction with the service. Reeves noted that Running Inc. had a good dispute resolution and agreements with health agencies for training and programs. Bartlett questioned what will happen to the current drivers and asked if this was completely budgeted for in the 2018 budget. Director LaBorde noted that she believes it is covered and has applied for a grant for 2018 but does not have that number. Engelberger stated that the last contract change, the new vendor laid off all of the drivers and hired drivers at a lower rate. He stated that people should be treated properly and wanted to know what the new vendor would do. He requested the next RFP process that we find out what the vendor will do with the current drivers. Motion carried 10-1, with Engelberger voting no.

R-173-2017 - Authorizing and directing the proper city official(s) to approve the environmental screening proposal for the new public works facility

Motion by O'Connor, to approve R-173-2017 authorizing and directing the proper city official(s) to approve the environmental screening proposal for the new public works facility, second by Truehl. Director Scheel noted that this is for testing of lead based paint and asbestos in all of the buildings at the new facility. Motion carried 10-1, with Boersma voting no.

R-174 -2017 - Authorizing and directing the proper city official(s) to approve the contract for tree trimming services

Motion by O'Connor, to approve R-174-2017 authorizing and directing the proper city official(s) to approve the contract for tree trimming services, second by Truehl. O'Connor noted that the contract is significantly less than what was budgeted. Director Hebert noted that they have divided the city into five zones and will trim one zone per year. Boersma stated that he is on Tree Commission and feels strongly that we need to keep up with the workload and trim trees. Hebert noted that the contract supplements what we already trim utilizing staff, but we don't have enough staff to meet service levels. Motion carried 11-0.

O-20-2017 – Ordinance amending Chapter 70-183 of the City of Stoughton Municipal Code; relating to No Parking 7:00 a.m. to 4:00 p.m. on School Days on the north side of the 400 Block of North Street (First Reading)

Truehl offered O-20-2017 as a first reading. This will be back before the Council on January 9, 2018. Motion by Jenson, to waive the first reading and approve the second reading of O-20-2017 to amend Chapter 70-183 of the City of Stoughton Municipal Code; relating to No Parking 7:00 a.m. to 4:00 p.m. on School Days on the north side of the 400 Block of North Street, second by Truehl. Motion carried 11-0.

O-21-2017 – Ordinance repealing Chapter 70-200 of the City of Stoughton Municipal Code; relating to parking restrictions on the Williams Drive (First Reading)

Truehl offered O-21-2017 as a first reading and this will be back before the Council on January 9, 2018. Motion by Jenson, to waive the first reading and approve the second reading of O-21-2017 to repeal Chapter 70-200 of the City of Stoughton Municipal Code; relating to parking restrictions on Williams Drive, second by Truehl. Motion carried 11-0.

O-22-2017 – Ordinance amending Chapters 70-198 & 70-199 of the City of Stoughton Municipal Code; relating to renaming references to Handicap Parking to Physically Disabled Parking (First Reading)

Truehl offered O-22-2017 as a first reading and this will be back before the Council on January 9, 2018. Engelberger asked about the term physically disabled. Chief Leck noted that the term is stated as such in the statutes. Boersma asked about changing signs. Chief Leck noted that he believes that all of the city signs are correct. Motion by Truehl, to waive the first reading and approve the second reading of O-22-2017 to amend Chapters 70-198 & 70-199 of the City of Stoughton Municipal Code; relating to renaming references to Handicap Parking to Physically Disabled Parking, second by Kittleson. Motion carried 11-0.

Discussion and action regarding Volunteer Firefighter position description and work rules change to allow volunteer firefighters to live or work in Stoughton:

a. **R-176 -2017** - Authorizing and directing the proper city official(s) to approve the amendment to the City Work Rules language regarding Fire Volunteer Emergency Response Time from "Reside" to "Reside or Work".

Motion by Johnson, to approve R-176-2017 authorizing and directing the proper city official(s) to approve the amendment to the City Work Rules language regarding Fire Volunteer Emergency Response Time from "Reside" to "Reside or Work", second by O'Connor.

b. **R-177-2017** - Authorizing and directing the proper city official(s) to approve the amendment to the Volunteer Firefighter Position description language regarding Fire Volunteer Emergency Response Time from "Reside" to "Reside or Work".

Motion by Johnson, to approve R-177-2017 authorizing and directing the proper city official(s) to approve the amendment to the Volunteer Firefighter Position description language regarding Fire Volunteer Emergency Response Time from “Reside” to “Reside or Work”, second by Truehl.

Chief Wegner noted that EMT’s have a 5 minute response benchmark or reside close enough to respond within that time. He has a shortage of volunteers and is looking to take on additional volunteers who work in the city. He noted that the Council is only adding “or work” to allow people who work here to volunteer. Chief is waiting for the resolution to pass before approaching the employers that are willing to allow their employees to volunteer. Both motions were voted on at the same time – Motions carried 11-0, with Boersma abstaining.

ADJOURNMENT

Motion by O’Connor, to adjourn the meeting of the Common Council, second by Truehl. Motion carried 10-1, with Kittleson voting noe. The meeting of the Common Council adjourned at 9:09 p.m.