

Meeting of: **COMMON COUNCIL OF THE CITY OF STOUGHTON**  
Date/Time: Tuesday, July 11, 2017 @ 7:00 p.m.  
Location: Council Chambers (2<sup>nd</sup> 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 of the Common Council to order at 7:00 p.m.

### **Roll Call, Communications, and Presentations:**

Finance Director LaBorde called the roll and noted that 9 alderpersons were present, with Bartlett and O'Connor being absent and excused. Hirsch arrived at 7:02p.m. bringing the number of alderpersons present to 10.

### **Presentation from Attorney Dregne regarding the Fair Housing Act**

Attorney Dregne reviewed the Fair Housing Act in relation to statements made related to affordable housing at the new Riverfront Redevelopment area. Recommends being cautious with the language that is used when discussing issues related to housing. Engelberger can the city promote housing in certain areas. Attorney Dregne stated that he is more concerned when the conversation changes to who lives in the building based on characteristics, income, etc. He noted that it is important to be sensitive to certain developments when the discussion moves to what classes of people might reside there. Reeves asked about developing a balanced residential policy while discussing an implementation plan. Dregne is not concerned with a proposal but then discussion shifts to who will live there. Engelberger looking to find a way to spread out the housing, he doesn't think anyone has crossed the line, and is looking to still have honest discussions. Hirsch noted that some of the discussions were related to how they can create development that includes all sectors. Johnson agreed that the Council should be careful with addressing these issues, as certain comments may lead to a lawsuit if not careful.

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

- Public Safety Committee (5/24/2017), Community Affairs and Council Policy Committee (6/6/2017), Finance Committee (5/23/2017) and Landmarks Commission (6/8/2017)
- April 2017 Treasurer's Report

### **Public Comment Period:**

Laura Trotter, 2156 Fallen Oak Trail; Spoke in favor of the of the Chamber of Commerce's 20<sup>th</sup> annual Coffee Break held on August 19<sup>th</sup> from 9am to 3pm. She indicated that the chamber will be partnering with Stoughton Sports Boosters.

### **CONSENT AGENDA**

A. June 27, 2017 Common Council Minutes

B. June 27, 2017 Joint Planning Commission and Common Council Minutes

C. **R-111-2017**- Confirming the Mayor's Committee Appointment of Mike Point, Nicholas Yuknis, and Mitch Bergeson to the Stoughton Tree Commission

D. **R-106-2017**- Authorizing and directing the proper city official(s) to approve a Temporary Class "B"/Class "B" Retailer's License and Special Event License to the Stoughton Chamber of Commerce.

Motion by Hirsch, to approve the consent agenda, second by Jenson. Request by Boersma to remove R-106-2017 and place under new business. Remainder of the consent agenda was approved unanimously 10-0.

### **OLD BUSINESS**

**O-7-2017**- Approving a General Development Plan for Outlot 1 and Lots 3 and 4, CSM No. 14057, and Lots 5 and 7, CSM No. 14058. (Part of Kettle Park West Commercial Center) Need to correct on page 26 – Outlot 3 and Outlot 2 need to be reviewed for accuracy.

Motion by Truehl, to approve O-7-2017, second by Engelberger. Planning Director Scheel gave an overview of the plan for the various lots. He explained that this area the large retail ordinance covered these areas, but wanted to remove these lots from those requirements. He stated that removing these lots from the ordinance would allow the land to be developed in a more inclusive way. Motion carried 9-1, with Johnson voting no.

**O-6-2017**- An ordinance to adopt the Amended Comprehensive plan of the City of Stoughton

Motion by Truehl, to approve O-6-2017 as amended, second by Engelberger.

Director Scheel noted four points that are recommended to be incorporated into the comprehensive plan as they came out of the public hearing. Scheel reviewed the four points as noted in his memorandum.

Motion by Truehl to amend the comprehensive plan to include all four points included in the memorandum dated June 5, 2017 to the council, second by Swadley. Motion passes 10-0.

Motion to amend by Engelberger, to amend the comprehensive plan to add the following language to Chapter 8, section B. f. – "It is imperative that the city and city council be open to working with the Stoughton school district and Stoughton school board within the next two years to specifically discuss, address and implement a plan that takes into consideration future growth analysis, improving housing options, job creation, marketing, addressing poverty trends and declining enrollment issues of the school district. This plan should be reviewed annually thereafter to serve as an example of best practices in a joint effort to increase the quality of life of the community." Further amend to add to the comprehensive plan chapter 8, section B. 8. adding after the first sentence – "Implement as a policy as described above in Chapter 8 section B.f.", second by Truehl. Amendment to the motion carried 10-0.

Attorney Dregne stated that this language is not binding without school board participation. Jenson would prefer to set this up as a goal of the Joint school/city meeting. Engelberger thinks common sense way to get the school involved.

Motion to amend by Reeves, to amend the comprehensive plan under table 22 as found on page 165-166 in the category of land use, to add the following – “Implement the balanced residential development policy and the detailed design standards for multi-family housing as presented in Chapter 6, section C”, second by Engelberger. Motion carried 10-0.

Motion to amend by Reeves, to amend the comprehensive plan in table 22 under Detailed Planning to add to the Implementation Plan to develop a Downtown Master Plan within five years, second by Boersma. Motion carried 10-0.

Motion to approve O-6-2017 as amended carried on a roll call vote of 9-1, with Johnson voting no.

## **NEW BUSINESS**

**R-106-2017-** Authorizing and directing the proper city official(s) to approve a Temporary Class “B”/Class “B” Retailer’s License and Special Event License to the Stoughton Chamber of Commerce.

Motion by Truehl, to approve R-106-2017, second by Kittleson. Boersma indicated that the wanted this resolution removed from the consent agenda and he feels that Community events should not have alcohol. Motion carried on a roll call vote 7-3, with Boersma, Johnson and Hirsch voting no.

**R-105-2017-** Authorizing and directing the proper city official(s) to issue an Operator License to Bobby Becker.

Motion by Truehl, to approve R-105-2017, second by Jenson. Truehl indicated that the Public Safety Committee voted to deny the request at the Chief’s recommendation. Motion failed 0-10.

**R-107-2017-** Preliminary Resolution declaring intent to exercise Special Assessment Powers for 2017 Street Projects- Relating to Giles Street.

Motion by Majewski, to approve R-107-2017, second by Engelberger. Majewski noted that this project had already been started and the properties affected need to be assessed for the work done, in accordance with the special assessment policy. The scope of the project was extended as the cost of the work was very favorable. Council discussion included the concern of the property owner’s notice of the special assessments. Planning Director Scheel noted that in his twenty years of working on City street projects, this type of change has never occurred in his career before. Majewski called the question. Motion carried on a roll call vote 10-0. The original motion was re-read. Motion carried 10-0.

**R-108-2017-** Authorizing and Directing the proper City official(s) to authorize the use of \$12,000 of contingency to fund the City Attorney’s continued work on the update of the City of Stoughton Historic Preservation Ordinances with the Landmarks Commission.

Motion by Majewski, to approve R-108-2017, second by Swadley. Majewski noted that this resolution is authorizing the City Attorney’s work on the historic preservation ordinances with the landmarks commission. The resolution also would approve the use of approximately \$12,000 of the City’s contingency fund. Motion carried on a roll call vote 10-0.

**R-110-2017-** Approving a Relocation Plan and Replacement Housing Payment Computation Relating to the acquisition of 2431 CTH A to facilitate construction of a new public works facility.

Motion by Majewski, to approve R-110-2017, second by Engelberger. Majewski explained that this next step is necessary in the eminent domain process to acquire that property. Motion carried 10-0.

\*\*\* *The Council may meet in closed session per State Statute 19.85 (1)(c) considering employment and compensation of the City of Stoughton IT/Media Information Technology Director. The Council may reconvene in open session to take action on matters discussed in closed session.*

\*\*\***R-109-2017-** Authorizing and directing the proper city official(s) to approve the appointment and hiring of the City of Stoughton IT/Media Information Technology Director salaried at \$78,728.

Motion by Majewski, to approve R-109-2017 authorizing and directing the proper city officials to approve the appointment and hiring of John Montgomery as the City of Stoughton IT/Media Information Technology Director salaried at \$78,728, second by Engelberger.

Motion by Johnson, to convene the Council in closed session, second by Hirsch. Motion carried on a roll call vote 10-0. The Council convened in closed session at 9:15pm

Motion by Engelberger, to reconvene the Council in open session, second by Boersma. Motion carried 10-0. The Council reconvened in open session at 9:24 p.m.

Original motion was re-read and the motion carried 9-1, with Kittleson voting noe.

## **ADJOURNMENT**

Motion by Jenson, to adjourn the meeting for the Common Council, second by Majewski. Motion carried 10-0. The meeting of the Common Council adjourned at 9:25 p.m.