

Meeting of: **COMMON COUNCIL OF THE CITY OF STOUGHTON**  
Date//Time: Tuesday, July 23, 2019 @ 7:00 p.m.  
Location: Council Chambers (2<sup>nd</sup> Floor of Public Safety Building)  
321 South Fourth Street, Stoughton, Wisconsin  
Members: Mayor Tim Swadley, Matt Bartlett, Sid Boersma, Phil Caravello, Ozzie Doom,  
Ben Heili, Regina Hirsch, Greg Jenson, Jean Ligocki, Tom Majewski, Lisa  
Reeves, Timothy Riley, and Brett Schumacher

### **CALL TO ORDER**

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

Mayor Swadley called the meeting to order at 7:03 p.m.

Clerk Licht called the roll and noted there were 12 alders present.

Executive Parisi gave a presentation on water quality. He highlighted 2018 flooding and efforts of Dance County to prevent it in the future.

Hirsch invited the public to an information meeting on the Riverfront Development on August 7<sup>th</sup> at 6:30 p.m. in the Fire Department Training Room.

Planning Director Scheel noted that there will be a Jefferson Street Pedestrian Bridge Open House on August 21<sup>st</sup> in the Fire Department Training Room.

Mayor Swadley thanked Stoughton Utilities for helping Wisconsin Rapids power restoration.

Utilities Director Wiess stated that a water quality test came back and found that there were levels of lead that exceed DNR limits. She stated that the lead is not in the water mains, but comes from the homeowner's pipes from the curb stop to the tap. Stoughton Utilities has water pitchers for those that are affected.

#### Minutes and Reports: the following minutes were entered into the record.

Food Pantry (4/18/19); RDA (6/12/19, 6/26/19); Parks & Rec (6/18/19); Planning Commission (6/10/19); River and Trails Task Force (5/6/19); Whitewater Park Steering Committee (6/17/19); Tree Commission (6/20/19); Public Works (6/27/19); Finance (6/25/19); Utilities (6/17/19)

#### Public Comment Period:

Marsha and Michael Bergian spoke regarding O-21-2019. They said they would like to work with the City to find a solution. They added that the ordinance on the agenda for tonight still prohibits fencing within a 12-foot easement. They noted State Statute 90.3 requires farmland to be separated from residential properties by a fence.

### **CONSENT AGENDA**

- A. July 9, 2019 Council Minutes
- B. **R-116-2019**- Resolution Authorizing and directing the proper City official (s) to issue Operator

Licenses

- C. Stoughton Utilities Payments Due List Report; Stoughton Utilities May 2019 Financial Summary; Stoughton Utilities May 2019 Statistical Report

Motion by Jenson, second by Schumacher to approve the consent agenda. Motion carried 12-0.

### **OLD BUSINESS**

#### **O-21-2019-** Amending Zoning Code Section 78-718 (3) (i) of the Stoughton Municipal Code

Motion by Bartlett, second by Jenson to approve O-21-2019 as recommended by the Plan Commission. Point of order by Jenson. Mayor Swadley ruled in favor of the point of order. Jenson said that allowing the Bergians to use their yard outweighs the inconvenience to the utility company. Riley said that the language presented by the Utilities and Public Works Committee is too confusing. Hirsch said that the City had responsibility to ensure the safety of the utilities employees. Motion by Hirsch, second by Bartlett to make an amendment to use the language that was recommended by the Utilities and Public Works Committee. Heili said that with climate change, storms are becoming more intense and has concerns about allowing fences in easements because it would delay utilities in an emergency. He also had concerns about State Statute 90.3. Swadley said that removing the ordinance will only complicate the situation. Motion by Hirsch, second by Majewski to close debate and call to question. Motion carried 11-1. Amended motion carried on a roll call vote of 8-4 with Caravello, Jenson, Riley and Ligocki voting 'no'. Original Motion carried on a vote of 10-2 with Riley and Jenson voting 'no'.

### **NEW BUSINESS**

#### **R-117-2019-** Approving and extra-territorial jurisdictional (ETJ) land division (CSM) request by Dale Beske for property located at 1421 Tower Drive, Town of Dunkirk, Dane County, Wisconsin

Motion by Caravello, second by Riley to approve R-117-2019 Approving and extra-territorial jurisdictional (ETJ) land division (CSM) request by Dale Beske for property located at 1421 Tower Drive, Town of Dunkirk, Dane County, Wisconsin. Motion carried 12-0.

The Council recessed at 8:40 p.m. Boersma left the meeting at 8:40 p.m.

The Council resumed the meeting at 8:48 p.m.

#### **R-118-2019-** Resolution by the Common Council of the City of Stoughton Conditionally Approving the Final Plat for Stoughton Hospital

Motion by Caravello, second by Jenson to approve R-118-2019 Resolution by the Common Council of the City of Stoughton Conditionally Approving the Final Plat for Stoughton Hospital. Motion carried 9-0 with Ligocki abstaining. Riley was not in attendance for the vote.

#### **R-119-2019-** Resolution by the Common Council of the City of Stoughton Conditionally Approving the Preliminary Plat for Hamilton Street Condominiums

Motion by Caravello, second by Majewski to approve R-119-2019 Resolution by the Common Council of the City of Stoughton Conditionally Approving the Preliminary Plat for Hamilton Street Condominiums. Motion carried 11-0.

**R-120-2019**- Authorizing and directing the Proper City Official(s) to adopt an updated building use policy

Motion by Bartlett, second by Riley to approve R-120-2019 Authorizing and directing the Proper City Official(s) to adopt an updated building use policy. There is a spelling error on page 2. Hirsch expressed concerns about non-profit groups having to pay fees. Director Scheel said that the costs are to cover the room observers. Alder Ligocki suggested taking the policy to CA CP to discuss the costs. Motion carried 11-0.

**O-22-2019**- Amending Section 10-35 of the Stoughton Municipal Code, Electrical Permits

Bartlett offered O-22-2019 as a first reading. It will back before the council on August 13<sup>th</sup>.

**R-121-2019**- Resolution by the Common Council of the City of Stoughton Approving an Agreement to Extend the Deadline for the Payment of Park Land Fees associated with the Kettle Park Senior Living Project

Motion by Hirsch, Ligocki to postpone voting on the resolution and send to Finance. Motion failed on a vote of 0-12. Attorney Dregne noted that the current agreement would expire on July 31<sup>st</sup>. Motion by Heili, second by Jenson to approve with attorney Dregne's revisions. Motion carried 10-0 with Ligocki abstaining.

### **ADJOURNMENT**

Motion by Jenson, second by Heili to adjourn at 9:40 p.m. Motion carried 11-0.

Respectfully Submitted,  
Holly Licht, City Clerk