

Meeting of: **COMMON COUNCIL OF THE CITY OF STOUGHTON**
Date/Time: Tuesday, May 22, 2018 @ 7:00 p.m.
Location: Council Chambers (2nd Floor of Public Safety Building)
321 South Fourth Street, Stoughton, Wisconsin
Members: Mayor Tim Swadley, Matt Bartlett, Sid Boersma, Phil Caravello, Denise Duranczyk, Regina Hirsch, Greg Jenson, Kathleen Johnson, Tom Majewski, Pat O'Connor, Lisa Reeves, and Nicole Wiessinger

CALL TO ORDER

Mayor Swadley called the meeting to order at 7:00 pm.

Roll Call, Communications, and Presentations:

Clerk Licht called the roll and noted that there were 10 alders present. Duranczyk was absent and excused.

Mayor Swadley presented the Public Works Week Proclamation.

Clerk Licht announced that the August 14, 2018 Council meeting will need to be rescheduled due to the Partisan Primary Election.

Roger Springman presented an update from the RDA. Mr. Springman announced that demolition has started on the Riverfront site. He presented a conceptual plan for the Riverfront. He presented a timeline to create TID 8 which the RDA hopes will be created in late June/early July of 2018.

Brandon Hill, detective from the Stoughton Police Department, presented the results of the alcohol compliance checks. Checked 21 establishments and 7 failed. The 7 servers that served the underage received citations.

Brian Hoops presented the Stoughton Utilities electric and water tax-stabilization dividends.

Boersma announced the Memorial Day parade on May 28, 2018. He announced that Board of Review adjourned today.

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

- A. Personnel Committee (3/5/2018), (4/23/2018), Rivers & Trails Task Force (3/5/2018), Finance Committee (4/24/2018), Planning Commission Minutes (4/9/2018), Parks and Recreation Committee (4/11/2018), Public Works Committee (3/20/2018), Utilities Committee (4/16/2018)
- B. March 2018 Treasurers Report, April 2018 Treasurers Report
- C. Stoughton Utilities Payments Due List Report; Stoughton Utilities March 2018 Financial Summary; Stoughton Utilities March 2018 Statistical Report

Public Comment Period:

Sharon Mason-Boersma, 243 E. McKinley St., announced the START celebration event on June 7th. She gave the background of START and an overview of their case management initiatives.

Matt Bellin, 1025 Hoel Ave., spoke against R-107-2018. He stated that a 77 unit apartment building does not fit in this area. He added that the increased traffic next to the splash pad is not safe. He said that the building is going to be primarily 1-unit and efficiency apartments which is not going to attract families.

Diana Hanson, 3148 County Rd. A., spoke against R-107-2018. She said that a 77 unit apartment is not conducive for country living. She said she was concerned about safety. She said that there is already traffic on CTH A. She presented photos of water runoff that is already affecting her property and says the addition of this building will only add more water damage.

Ingrid West, 1053 Taylor Lane, a representative from the Town of Dunkirk, spoke regarding R-107-2018. She said that multi-family housing is happening around the City and not in the city center and it is not conducive to farming and rural areas. She added that the towns should be represented more in these types of developments.

Brian Spanos, 4192 Morris Rd., a representative of the developer spoke in support of R-107-2018. Mr. Spanos said current zoning would allow for the 77 units on site. The development will be constructed in 2 phases. The building was modeled after a development in McFarland. He added that these are luxury-style apartments. He said that increased traffic won't be an issue.

Peggy Verigan, 225 N. Monroe St., spoke regarding O-13-2018. She said that amending the ordinance to change the appeal process to go straight to circuit court would go against state statutes. She added that the appeal process should not be less than 90 days as landmark decisions take time to fully examine.

Paul Brammeier, 1116 E. Franklin St., spoke regarding special assessments. Specifically, he referenced the work being done on Vernon Street. He said that he was concerned about the speed of traffic. He asked to incorporate limiting truck traffic as part of the project.

CONSENT AGENDA

- A. May 8, 2018 Council Minutes
- B. **R-102-2018** – Resolution Authorizing and directing the proper city official(s) to issue Operator Licenses to various applicants.

Motion by Hirsch, second by Boersma, to approve the consent agenda. Motion carried 10-0.

OLD BUSINESS

O-13-2018- Ordinance Amending Multiple Sections of the Historic Preservation Ordinance—Chapter 38 of the Stoughton Municipal Code

Motion by Majewski, second by alderperson Hirsch, to approve O-13-2018 Amending Multiple Sections of the Historic Preservation Ordinance—Chapter 38 of the Stoughton Municipal Code.

Attorney Dregne presented the changes in the ordinance focusing on Section 38-37-the demolition process.

Motion by Jenson, second by Bartlett to amend the motion to change the language in section 38-33 of the ordinance to include 6 citizen members and 1 council member. Motion carried 10-0.

Original motion as amended carried 10-0.

NEW BUSINESS

R-103-2018- Authorizing and directing the proper city official(s) to approve the 2017 City of Stoughton Audit

Vasvi Joshi, the City's auditor from Baker and Tilly, presented the 2017 audit report. She stated the City has received the highest level of opinion on audit statement. She gave an overview of the fund balances of the City.

Motion by O'Connor, second by Jenson to approve R-103-2018 authorizing and directing the proper city official (s) to approve the 2017 City of Stoughton Audit. Motion carried 10-0.

R-104-2018- Ordering a Special Election to fill the Vacancy in District 1

Motion by Jenson, second by Majewski to approve R-104-2018 Ordering a Special Election to fill the Vacancy in District 1. Motion carried 10-0.

PUBLIC HEARING: to consider special assessments for the improvement of curb and gutter, retaining walls, sidewalks, driveway aprons, carriage walks, drainage improvements/storm sewer connections, hand railing, sanitary sewer and water main extensions for the 2018 Street Reconstruction Project

The public hearing opened at 8:15 p.m.

Paul Reedy, 1233 Vernon St., said that he is concerned with the cost estimate of \$5,000 to install new sidewalk. He added that his street is a dead end street that leads to nowhere that doesn't need a sidewalk.

Daniel Davis, 925 Hamilton St, said that \$17,600 of his special assessment will be allocated to a retaining wall. He said that the retaining wall and the sidewalk will add no value to his property. Mr. Davis would be an improvement for the entire city and the city should be paying at least 50%.

Roger Thompson, 1216 E. Academy St., commended Rodney for his work with the special assessment process. He added that there are safety issues Academy Street and would like to see speed initiatives as part of the construction. He added that semi traffic should be eliminated on Academy Street.

Deb Piper, 1109 Vernon St., spoke regarding the Vernon and Christie Ln., was concerned about her concerns about communication with the project. She added that she was concerned about the retaining walls. Christie Ln is being forced to have sidewalk on a one-way, dead end street.

The public hearing closed at 8:47 p.m.

R-105-2018- Resolution authorizing improvements and levying special assessments against benefited property in the City of Stoughton for the improvement of curb and gutter, retaining walls, sidewalks, driveway aprons, carriage walks, drainage improvements/storm sewer connections, hand railing, sanitary sewer and water main extensions for the 2018 Street Reconstruction Project

Motion by O'Connor, second by Jenson to approve R-105-2018. Resolution authorizing improvements and levying special assessments against benefited property in the City of Stoughton for the improvement of curb and gutter, retaining walls, sidewalks, driveway aprons, carriage walks, drainage improvements/storm sewer connections, hand railing, sanitary sewer and water main extensions for the 2018 Street Reconstruction Project

Johnson said that the policy needs to be changed.

Motion by Johnson, second by Boersma to amend the resolution to eliminate sidewalk construction on Kristi Ln. Motion carried 8-2 with Bartlett and O'Connor voting 'no'.

Motion by to Johnson, second by Caravello to eliminate on the additional sidewalk and retaining wall construction on the north side of Vernon Street. She added that there is a fair amount of traffic and installing the sidewalk will put pedestrians in danger. Hirsch asked if we could put traffic calming devices in the area. Planning Director Scheel said there will be painted cross walks as part of the construction. Majewski said that the city's traffic calming devices are minimal and could be used more often. Caravello asked if the property owners could do the work on their own. Scheel said they could, but would have to have it done within the project timeline of the project and all the responsibility would be on the property owner. Motion failed on a vote of 1-9 with Johnson voting 'yes'.

Motion by Majewski, second by Johnson to treat retaining walls the same as sidewalks and to have the city pay 50% of the costs for the 2018 street construction project. Motion carried 7-3 with Boersma, O'Connor and Bartlett voting 'no'.

Wiessinger asked if there are people who have paid the full cost of the retaining walls in the past. Scheel said that people have paid the full cost in the past. She said that changing the policy this year could be unfair for those who have already paid for retaining walls.

O'Connor said that the Public Works department reviewed the policy last year and came to the conclusion the current policy works and doesn't support changing it.

Original motion carried as amended 10-0.

The Common Council recessed at 9:40 pm.

The council resumed the meeting at 9:52 p.m.

R-106-2018- Approving an extra-territorial jurisdictional (ETJ) land division (CSM) request by Bruce Sime for property located at Starr School road, Town of Rutland, Dane County, Wisconsin

Motion by Bartlett, second by Jenson to approve R-106-2018 Approving an extra-territorial jurisdictional (ETJ) land division (CSM) request by Bruce Sime for property located at Starr School road, Town of Rutland, Dane County, Wisconsin. Motion carried 10-0.

R-107-2018- Resolution Approving a Conditional Use Permit (CUP) request by Lakestone Properties for more than 12 residential units per apartment building and for more than one principal building on a lot at 1601 Hoel Avenue, Stoughton, Wisconsin

Motion by Bartlett, second by Jenson to approve R-107-2018. Approving a Conditional Use Permit (CUP) request by Lakestone Properties for more than 12 residential units per apartment building and for more than one principal building on a lot at 1601 Hoel Avenue, Stoughton, Wisconsin.

Attorney Dregne summarized changes in the law. He said that CUPs are used to be flexible with zoning code. He said that the state legislature has changed the law to say: municipal ordinances regulating CUPs must be reasonable or measurable, and decisions to approve or deny must be based on substantial, factual evidence.

Majewski asked why 2 members of the Planning Commission voted no. Caravello said he voted no because of the traffic implications that could happen. He added that the number of units was too large for the area.

Johnson asked if a TIA study had been completed. Scheel said that there has not been a study.

Bartlett said we need development and need to bring people into the city and this is a great opportunity to do so. He added that every time a developer wants to build, the City says they can't build where they want. He said a TIA study was not needed.

Wiessinger asked what assurances we have that the storm water management will be taken care of. Planning Director Scheel stated that CARPC consultants designed the improvements and the City approved those improvements as they meet City standards.

Motion by Johnson, second by Hirsch to table R-107-2018 until the June 26th Common Council meeting motion failed 5-6 with Majewski, Jenson, Wiessinger, O'Connor, Bartlett, and Swadley voting 'no'.

The Council watched the video of the Public hearing from the May 14, 2018 Planning Commission.

Majewski said that the lot should not be able to be built on until the water issue is resolved. Scheel stated that the developer is responsible for controlling the water that runs off the site. He added that currently the water detention is meeting the state and county requirements.

Original motion carried 7-3 with Hirsch, Johnson, and Caravello voting 'no'.

R-108-2018- Resolution Approving a Certified Survey map to split the property at 309 Pine Street which is owned by the Wisconsin Partnership for Housing Development, Dane County, Wisconsin

Motion by Bartlett, second by Jenson, to approve R-108-018 approving a Certified Survey map to split the property at 309 Pine Street which is owned by the Wisconsin Partnership for Housing Development, Dane County. Motion carried 9-0 with Boersma abstaining.

O-15-2018- Ordinance amending the zoning classification for a parcel of land located along the Yahara River and behind Stoughton Hospital, 900 Ridge Street, Stoughton, WI

Bartlett offered O-15-2018 as a first reading. It will be back before the Council on June 12, 2018.

ADJOURNMENT

Motion by Jenson, second by O'Connor to adjourn at 11:29 p.m. Motion carried 10-0.