

Meeting of: **COMMON COUNCIL OF THE CITY OF STOUGHTON**
Date/Time: Tuesday, September 26, 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 and Communications:

Clerk Kropf called the roll and noted that there were eleven alderpersons present, with O'Connor being absent and excused.

Mayor Olson explained that there will be a Committee of the Whole to discuss the new Public Works Facility on Thursday, September 28, 2017 at 6:00 p.m. in the Council Chambers. She also explained that the Committee of the Whole budget meetings will be held on October 5, October 12, and October 26, 2017. All of these meetings will start at 6:00 p.m. and will be held in the Council Chambers. Once these meetings are completed the Council will be able to recommend the City's budget and all special fund budgets on November 14, 2017.

Update from City Attorney Dregne regarding work with the Landmarks Commission:

Attorney Dregne gave the Council an update with the work and progress he has made with the Landmarks Commission regarding the ordinances on historical preservation. He explained the current overlapping and discrepancies between the codes. The Landmarks Commission is currently requesting that any landmark designation be removed from Chapter 78 and the Planning Commission would not have any authority over an issue or request. Demolition would be approved only if the physical characteristics of the building have changed, the change has caused the structure to no longer have its characteristics that made that building a local landmark, and if the change was not caused by the current or prior owner's failure to maintain the building. These would be considered on a case by case basis in the event of a traumatic event or natural disaster. He noted that the Landmarks Commission is still continuing to address the current ordinances and is working to identify the standards that would need to be applied. Attorney Dregne noted that he has encouraged the Landmarks Commission to complete the work in a timely manner as the temporary demolition moratorium is currently in place.

Update from Alderperson Reeves regarding CA/CP Work on Council Goals & Objectives:

Alderperson Reeves gave a brief overview of where the CA/CP committee is at in the process of addressing Council goals and objectives. She noted that the committee will continue to work on the remaining goals.

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

- Finance Committee (8/22/17), Redevelopment Authority (8/9/17), Planning Commission (8/14/17), Public Works Committee (8/15/17), Housing Authority (7/19/17)

Public Comment:

Richard MacDonald, 524 Kings Lynn Rd.; Spoke in favor of the new proposed health insurance plan for the City.

Roger Springman; 812 Kriedeman Dr; Spoke in opposition of removing the Mandt Foundry from the temporary demolition moratorium.

Consent Agenda:

- September 12, 2017 Council Minutes
- September 13, 2017 Special Council Minutes
- September 13, 2017 Joint Committee of the Whole & Redevelopment Authority Minutes
- **R-135-2017-** Requesting Exemption from County Library Tax

Motion by Jenson, to approve the consent agenda, second by Hirsch. Engelberger requested that the R-135-2017 be removed from the consent the agenda. Motion carried 11-0.

OLD BUSINESS

None

NEW BUSINESS

R-135-2017- Requesting Exemption from County Library Tax:

Motion by Engelberger, to approve R-135-2017, second by Hirsch. Library Director MacDonald explained that this resolution is done annually. This would allow the library to not have to pay the Dane County library tax and the library also receives addition funding from Dane County. Motion carried 11-0.

R-144-2017- Authorizing and directing the proper city official(s) to approve the change of health care insurance carriers from Dean Health to Quartz Health effective January 1, 2018 for the 2018 and 2019 calendar years:

Motion by Majewski, to approve R-144-2017, second by Boersma. Human Resources Director Gillingham addressed the Council regarding the potential change in the City's health insurance plan. She noted that the change in insurance would only be for the calendar years of 2018 and 2019 and would save the City, over those two years, approximately \$265,000. The Quartz HMO plan design reduced the amount of out of pocket maximums and also changed the prescription co-pays. The employees do have the option to not take this insurance, but can have a point of services plan where they can pick their doctors. This option does come with an increased premium cost. Police Chief Leck noted that this change will not affect anything with the City Police union bargaining. Motion carried on a roll call vote 10-0, with Johnson abstaining.

R-142-2017- Authorizing and directing the proper city official(s) to approve the addition of the CheckUp Plus benefit to the City's current dental plan, effective January 1, 2018.

Motion by Majewski, to approve R-142-2017, second by Boersma. Human Resources Director Gillingham explained that this add-on benefit will allow employees to receive their preventative care without increasing the maximum allowance. Motion carried on a roll call vote 11-0.

R-143-2017- Authorizing and directing the proper city official(s) to approve the recommendation to move to change the Dependent age on the Dental Plan from all dependents to age 26, to cover only eligible dependents ages 19 through 25 if full time student status.

Motion by Majewski, to approve R-143-2017, second by Boersma. Human Resources Director Gillingham explained that this would make our plan more in-line with the market. This would allow dependents to use the plan until the age of 26, but only if they maintained a full-time student status. Hirsch is not in favor of this and feels that children who chose not to be a full-time student should not be penalized by not having dental insurance through their parent/guardian. She indicated that the savings, \$1,000 to make this change, was not that great, and would not be in favor of this change. Kittleston noted that he is also against the change. Motion by Majewski, to call the question, second by Truehl. Motion carried 10-1, with Engelberger voting noe. Motion carried on a roll call vote of 8-3, with Hirsch, Kittleston and Johnson voting noe.

O-13-2017- Amend Section 2-535 of the Stoughton Municipal Code; Relating to the Composition of the Stoughton Redevelopment Authority:

Aldersperson Truehl offered O-13-2017 as a first reading and this item will be before the Council for consideration at the October 10, 2017 Council meeting.

O-14-2017- An ordinance amending the zoning classification of 314 W. Main Street in the City of Stoughton from PB – Planned Business to MR-24 – Multi-Family Residential:

Aldersperson Truehl offered O-14-2017 as a first reading and this item will be before the Council for consideration at the October 10, 2017 Council meeting.

R-136-2017- Authorizing and directing the proper city official(s) to approve the continuation of the current agreement with the City of Madison for the Joint Records Management System (RMS):

Motion by Truehl, to approve R-136-2017, second by Jenson. Truehl noted that this is a continuation of an existing agreement with the City of Madison and other municipalities to share the records management system. Motion carried 11-0.

R-137-2017- Authorizing and directing the proper city official(s) to approve the Contract Extension with John's Disposal Service, Inc. until December 31, 2024 for collection of residential garbage, bi-weekly collection of recycling, monthly collection of bulky items and weekly collection of trash downtown:

Motion by Jenson, to approve R-137-2017, second by Boersma. Public Works Director Hebert stated that John's Disposal offered a 6 year extension of the current contract with a rate lock for 2018 and 2019. They will also pickup downtown trash at no cost, a task currently done by City Staff. This agreement does not include a fuel surcharge, which is very uncommon. The City has had a favorable relationship with John's Disposal and would like to continue. Motion carried on a roll call vote 11-0.

R-138-2017- Approving a Conditional Use Permit to allow a church use (Calvary Gospel Church) at 1501 E. Main Street, Stoughton, Wisconsin:

Motion by Truehl, to approve R-138-2017, second by Engelberger. Truehl explained that this property is on the City's east side, above the Brickhouse Pub. Motion carried 11-0.

R-139-2017- Approving a Conditional Use Permit to allow the expansion and site improvements for an automotive repair use (Conant Automotive) at 1324 US Highway 51 – 138, Stoughton, Wisconsin:

Motion by Truehl, to approve R-139-2017, second by Engelberger. Truehl commended Joe Conant for trying to improve the building. Planning Director Scheel said this would allow for an expansion and site improvements. Motion carried 10-1, with Majewski voting no.

R-140-2017- Approving a Conditional Use Permit to allow an in-vehicle service use (Donation Drive-up Canopy) for Goodwill at 1780 US Highway 51 – 138, Stoughton, Wisconsin:

Motion by Truehl, to approve R-140-2017, second by Engelberger. Truehl explained that this would allow for the Goodwill to be located at the former Wal-Mart site, to have a drop off canopy. The pedestrian crossing due to the nature of the location was a concern, but the Planning Commission did ensure that the sidewalks would be widened by the building. This would allow for a safer route for citizens to get from the Tractor Supply location to the Pick N Save location. Motion carried 11-0.

R-141-2017- Approving a Conditional Use Permit to allow an in-vehicle sales and service use (Fuel Station) for Pick n Save at 1750 US Highway 51 – 138, Stoughton, Wisconsin.

Motion by Truehl, to approve R-141-2017, second by Engelberger. Truehl explained that this resolution would allow Pick N Save to have self-service fuel pumps in rear of the store.

Majewski noted that he was not in favor of the landscape plan and would like to see this changed to conform to the city ordinances that are in place for the landscaping in new developments.

Motion to amend by Majewski, to amend the proposed landscape plan to require the city forester to determine appropriate trees and to comply with the City standards for space and height, second by Boersma. Amendment failed on a roll call vote 4-7, with Swadley, Reeves, Engelberger, Jenson, Truehl, Bartlett, and Kittleson voting no.

Aldersperson Truehl stated that motion requires the City Forester address to the trees within the landscape plan without addressing the terrace trees.

Majewski stated that he felt that a large amount of the existing parking lot has been changed to allow for the Goodwill canopy and the fuel pumps. He would like to see this parking lot viewed as a parking lot in a new development and that it needs to comply with the City's ordinances.

Motion to amend by Majewski, that part of the approval of this plan require the installation of tree islands and trees, as required by ordinance, as if this is a new development, second by Johnson.

Motion to table by Majewski, until the Planning Commission identifies whether a modified landscape plan is needed, second by Johnson. Motion failed 3-8, with Reeves, Engelberger, Jenson, Truehl, Bartlett, Kittleson, Swadley, and Boersma voting no.

Second motion to amend to was considered by the Council. The amendment failed on a roll call vote with 5-6, with Engelberger, Jenson, Truehl, Bartlett, Kittleson, and Swadley voting no.

Motion by Engelberger, to table R-141-2017, second by Kittleson. Motion carried on a roll call vote 7-4, with Majewski, Jenson, Truehl, and Bartlett voting no.

The Council took a recess at 9:25 p.m.

The Council reconvened at 9:32pm

**** The Council may move to closed session per State Statute 19.85(1)(c) considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. The Council may reconvene in open session to take action on matters discussed in closed session and to consider the remaining items on the agenda.*

***** R-145-2017-** Authorizing and directing the proper city official(s) to approve the Springsted Grade assignments and Requests for Reconsideration responses.

Motion by Majewski, to convene the Council into closed session, second by Boersma. Motion carried on a roll call vote 11-0. The Common Council convened into closed session at 9:35pm.

Motion by Boersma to return to open session, second by Majewski. The Council reconvened in open session at 9:44pm.

Motion by Majewski, to approve R-145 to authorize and direct the proper city officials to approve the Springsted Grade assignments and Requests for Reconsideration responses, second by Boersma. Motion carried 11-0.

Discussion and possible action regarding demolition moratorium within the City.

Kittleson noted that he wanted to discuss the moratorium in place as he feels it can limit the number of contractors looking to submit bids for the project. They might see that there is a moratorium in place for demolition and might not submit a bid for consideration because of that. He understands why people agree with both sides of the issue, but the Council needs to reconsider it so any future project can move forward.

Council discussion included that the particular property in question, the Stoughton Highway Trailer Building, is owned and controlled by the Redevelopment Authority. Council members felt that the RDA should have the authority to move forward with the project as previously addressed. The Council did not want to move too hastily to remove the moratorium until the Landmarks Commission has completed their work on the City ordinances relating to historic preservation.

Kittleson left the meeting at 9:50 p.m.

Mayor formally requested that Landmarks Commission expedite their process to complete the revisions on the ordinances so that the moratorium may be lifted.

Council discussed that the property on Main Street is affected by the current demolition moratorium and that property could not amend their current plan under it as well. That site still needs a landscape plan per the Planning Commission and that the intended use cannot be reconsidered.

Motion by Majewski, to table this discussion, second by Hirsch. Motion carried 10-0.

Motion by Majewski, to adjourn the meeting of the Common Council, second by Hirsch.

Motion failed with a tie vote 5 to 5 with Engelberger voting present; Mayor voted no to break the tie. Motion failed 5-6, with Jenson, Bartlett, Kittleson, Swadley, Boersma, and Mayor Olson voting no.

Motion made March 14, 2017:

“Substitute Motion by Jenson, that no further applications or requests for demolition of any structure within any existing city designated historic district, within any historic district listed on the National Register of Historic Places, or within the Downtown Design Overlay District, or a currently city designated landmark or structure listed on the National Register of Historic Places, be processed, and that the demolition of the Stoughton Highway Trailer Building not proceed, until the City Council has considered possible changes to demolition related ordinances, and lifted this temporary moratorium, second by Lawrence. Substitute motion passed on a roll call vote 6-5, with Kittleson, Boersma, Lawrence, Truehl, and O’Connor voting no.”

Motion made April 11, 2017:

“R-50-2017- Resolution authorizing the removal of the Stoughton Highway Trailer Building from the temporary demolition moratorium.

Motion by Jenson, to approve R-50-2017, second by Truehl.

Motion to amend by Lawrence, to authorize the removal of the Stoughton Highway Trailer Building, from the temporary demolition moratorium, exempting the Mandt Foundry building, second by Jenson. Motion carried on a roll call vote of 8-3, with Hirsch, Johnson, and Majewski voting no.

Motion to amend by Engelberger, to incorporate the Mandt Foundry Building into the development, second by Boersma. Motion carried on a roll call vote of 7-4, with Hirsch, O’Connor, Johnson, and Majewski voting no.

Complete motion as twice amended was read aloud to the Council. Motion carried on a roll call vote of 8-3, with Hirsch, Johnson, and Majewski voting no.”

Amended resolution R-50-2017 to state: “Resolution authorizing the removal of the Stoughton Highway Trailer Building, from the temporary demolition moratorium, exempting the Mandt Foundry Building and to incorporate the Mandt Foundry Building into the development.”

Discussion and possible action regarding motions made at September 13, 2017 Joint meeting of the Redevelopment Authority and Committee of the Whole (*Request per Alderperson Jensen and Alderperson Kittleson*):

- *Motion by Jensen, to request that the RDA issue a RFP for the immediate demolition of the highway trailer complex which is the entire L-shaped building including the Blacksmith shop, second by Reeves. Original motion was read. Motion carried on a roll call vote 8-3, with Majewski, Engelberger, and Hirsch voting noe.*
- *Motion by Engelberger, to request that the RDA ask Gorman if they are willing to perform the work outlined in their proposal to develop the highway trailer building as proposed or at market rate, second by Boersma. Motion carried on a roll call vote 6-5, with Kittleson, Jensen, Truehl, O'Connor, and Olson voting noe.*

Kittleson returned to the meeting at 10:15 p.m.

Truehl explained that certain safety aspects were discussed at the last Committee of the Whole meeting and that the committee directed the RDA to get a RFP to take down the Highway Trailer Building complex. The RDA is trying to get Earth Construction to assist with determining the cost associated with the demolition. As directed, the RDA reached out to Gorman to see if they are interested in pursuing the project based on the original proposal, Gorman indicated that they were not interested. If the RDA would choose to keep the Highway Trailer Building they could take advantage of certain historic tax credits that wouldn't be available until the Spring of 2019.

Truehl also reported that the Public Safety Committee did hold a special meeting to discuss the current status of the fencing around the building. He noted that once the MilFab buildings are torn down (which are not under the moratorium) the City could really tightening up the security around the Highway Trailer Building.

Discussion and possible action to direct staff to obtain proposals from qualified consultants to determine ways to stabilize the Highway Trailer Building in order to open East South Street.

Alderperson Kittleson explained that this item came as his request. He wondered if there was a way to “shore up” the building to allow the street to be opened. He fears that this project will take years and would be detrimental to the City’s public safety services and the citizens to have it closed for that long.

Engelberger explained that he is not in favor of shoring up the building and that, barring some unforeseen natural disaster that building will not fall down. He suggested that a quick fix would be to rent fifty or sixty foot long coal trains, park them next to the building, and they would be about twelve feet wide, and about six feet of the cars would stick out into the road. He’s not sure if it would work, but those would be heavy duty.

Truehl noted that Chief Leck is going to be limiting parking to allow for more access for emergency vehicles. He noted that the City is looking at additional signage for the street closure and detours.

ADJOURNMENT

Motion by Hirsch, to adjourn the meeting of the Common Council, second by Reeves. Motion carried 11-0. Meeting adjourned at 10:35 pm.