

Meetings of: **COMMON COUNCIL OF THE CITY OF STOUGHTON**
Date//Time: Tuesday, May 10, 2022, 7:00 p.m.
Location: The meeting of the Common Council will be conducted as a hybrid meeting. (Virtual and in person)
Virtual: You can join the meeting from your computer, tablet, or smartphone via **Zoom:**
<https://zoom.us/j/99063359231?pwd=dkF3dDM5aGxYWml3N1gwT0lKRnA5UT09>
Meeting ID: 990 6335 9231
Passcode: 343806
In person: Council Chambers, (2nd Floor of Public Safety Building)
321 South Fourth Street, Stoughton, Wisconsin

Members: Mayor Tim Swadley, Phil Caravello, Ben Heili, Regina Hirsch, Fred Hundt, Greg Jenson, Jean Ligoeki, Tom Majewski, Frank Raff, Brett Schumacher, Joyce Tikalsky, and Rachel Venegas

CALL TO ORDER

Mayor Swadley called the meeting to order at 7:01 p.m.

Roll Call

Director of Finance Ehlinger called the roll and noted there were 11 Alders. Venegas absent and excused.

Minutes and Reports - the following minutes were entered into the records.

Finance (12/28/21, 1/25/22, 2/22/22, 3/8/22, 4/12/22); RDA (9/8/21, 10/13/21, 11/4/22, 11/10/22, 12/8/21, 1/12/22, 2/9/22); River & Trails (3/7/22); Joint Review Board (3/14/22, 10/14/21); Alcohol Policy Committee (4/05/22)

Public Comment Period:

- None

Communications and Presentations:

- Reminder from Mayor Swadley that Syttende Mai is this week
- Historic Preservation Month
- Police Week - Stoughton.

Consent Agenda:

- A. Council Minutes April 26, 2022
- B. **R-98-2022** Authorizing and directing the proper city official(s) to issue Operator licenses to various applicants.
- C. **R-99-2022** Resolution confirming the Mayor's Committee Appointments to Boards, Committees, and Commissions, Pursuant to 2-127 of the Municipal Code.

Motion by Jenson/Hirsch to approve the consent agenda. Motion carried 11-0.

OLD BUSINESS

Mayor Swadley reminded everyone we are still seeking two citizen members for the Finance Committee and to contact him for an application.

O-12-2022 Ordinance approving Planned Development – General Development Plan for property located at the northeast corner of Williams Drive and Glacier Moraine Dive (Emmi Roth). (*Plan Commission recommends approval 7-0*)

Motion by Caravello/Reeves for adoption of this ordinance as written. Director of Planning & Development Scheel spoke on the topic. Motion carried 11-0.

O-13-2022 Ordinance amendments to sections 78-920 and 58-2. (*Plan Commission recommends approval 7-0*)

Motion by Caravello/Schumacher for adoption of this ordinance as written. Motion carried 11-0.

NEW BUSINESS

R-100-2022 Amendment to the Water Utility 2022 Capital Improvement Plan to Fund the 2022 Academy Street Reconstruction Contract 1-2022. (*Utilities Comm. recommends approval 5-0 on 5/4/2022*)

Motion by Hundt/Hirsch for approval of this resolution as written. Both Director of Planning & Development Scheel and Utilities Director Weiss spoke on the projects, bids coming in higher than anticipated, portions of bids being rejected, sidewalk replacements, and the cooperation between the City and Utilities on finding funding for the projects. Motion carried 11-0.

R-101-2022 Amendment to the Wastewater Utility 2022 Capital Improvement Plan to Fund the 2022 Academy Street Reconstruction Contract 1-2022. (*Utilities Comm. recommends approval 5-0 on 5/4/2022*)

Motion by Hundt/Hirsch for approval of this resolution as written. Motion carried 11-0.

R-102-2022 Amendment to the 2022 Stoughton Utilities Operating Budget to Fund the 2022 Academy Street Reconstruction Contract 1-2022. (*Utilities Comm. recommends approval 5-0 on 5/4/2022*)

Motion by Hundt/Reeves for approval of this resolution as written. Motion carried 11-0.

R-103-2022 Bid Award of 2022 Academy Street Reconstruction Contract 1-2022 to Wolf Paving & Excavating of Madison, Inc. (*Utilities Comm. recommends approval 5-0 on 5/4/2022*)

Motion by Hundt/Hirsch for approval of this resolution as written. Motion carried 11-0.

R-104-2022 Authorizing and directing the proper City official(s) to enter into an agreement with Payne & Dolan, Inc. for the 2022 Street Construction Contract 2-2022 (*Finance Committee recommends approval 4-0 on 05/10/2022*)

Motion by Schumacher/Jenson for approval of this resolution as written. Motion carried 11-0.

R-105-2022 Authorizing and directing the proper City official(s) to enter into an agreement with Wolf Paving & Excavating of Madison for the 2022 Academy St Reconstruction Contract 1-2022. (*Finance Committee recommends approval 4-0 on 05/10/2022*)

Motion by Schumacher/Reeves for approval of this resolution as written. Motion carried 11-0.

R-106-2022 First Amendment to Agreement to Undertake Development with RHD Properties LLC for 51 West Development (*Finance Committee recommends approval 4-0 on 05/10/2022*)

Motion by Schumacher/Jenson to approve the resolution as written. Director of Human Resources/Risk Management Gillingham and City Attorney Dregne spoke regarding whether professional liability insurance should be required for the developer or not. Motion by Jenson/Hundt to remove the requirement for

developer professional liability insurance as per the revised resolution provided by the City Attorney on May 10, 2022. General discussion on the topic occurred. The motion to amend the resolution carried 11-0. The motion to approve the amended resolution carried 11-0.

City Attorney Dregne indicated that the Developer Agreement with ROB Real Estate Brokerage & Builders LLC was patterned after the Developer Agreement with RHD Properties LLC so that developer agreement may need modification also.

R-107-2022 Irrevocable Standby Letter of Credit regarding Developer Agreement with RHD Properties, LLC for 51 West Development (*Finance Committee recommends approval 4-0 on 05/10/2022*)

Motion by Schumacher/Jenson to approve the resolution as written. Lukas Trow with One Community Bank spoke about very few banks having debt ratings and how One Community Bank compared to the nation's largest bank, BNY Mellon, in regards to five key categories. Motion carried 11-0.

R-108-2022 Irrevocable Standby Letter of Credit Regarding Developer Agreement with ROB Real Estate Brokerage & Builders LLC re Parker Cole Addition (*Finance Committee recommends approval 4-0 on 05/10/2022*)

Motion by Schumacher/Reeves to approve the resolution as written. Motion carried 11-0.

R-109-2022 Revision to Authorized Signatures for the City of Stoughton with Local Depositories (*Finance Committee recommends approval 4-0 on 05/10/2022*)

Motion by Schumacher/Jenson to approve the resolution as written. Motion carried 11-0.

R-110-2022 Authorizing and directing the proper City Official(s) to approve a Temporary Class "B" Beer and "Class B" Wine Retailers License and Special Event License to the Taste of Stoughton. (*Public Safety recommends approval 4-0 on April 26, 2022*)

Motion by Jenson/Ligocki to approve the resolution as written. Crystal Welsh spoke about the upcoming Taste of Stoughton on June 18th and the integration with Syttende Mai. Motion carried 11-0.

Approval of conflict waiver letter – Motion by Jenson/Schumacher to accept the Proposed Waiver of Conflict of Interest by Boardman & Clark LLP in relation to a letter of credit that One Community Bank will provide to the City of Stoughton pursuant to a development agreement between the city and Kettle Park West, LLC. City Attorney Dregne indicated that he had no issues with the waiver. Motion carried 11-0.

ADJOURNMENT – Motion by Jenson/Ligocki to adjourn at 8:20 p.m. Motion carried 11-0.

Respectfully submitted,

David P. Ehlinger
Director of Finance/Comptroller