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Meeting of: **COMMON COUNCIL OF THE CITY OF STOUGHTON**

Date//Time: Tuesday, March 10, 2020 @ 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, Ozzie Doom, Ben Heili, Regina Hirsch, Greg Jenson, Jean Ligocki, Tom Majewski, Lisa Reeves, and Brett Schumacher

**CALL TO ORDER**

Roll Call, Communications, and Presentations:

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

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

* Chief Leck said they are working with Dane County Public Health on coronavirus contingency planning.
* Heili communicated the seriousness of the coronavirus. He hinks that there should be special meetings with the Public Safety Committee and the Council.
* Clerk Licht gave an update on absentee voting hours.
* Clerk Licht stated that alder Riley resigned.

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

1. Finance (1/28/20); Food Pantry (1/9/20); Public Safety (1/22/20, 2/3/20, 2/13/20); CACP (2/4/20)
2. Public Safety Committee Report Re: Alcohol Beverage Licensing Proceedings Regarding Shakers Saloon, LLC
3. Objection of the Report and Recommendation of the Stoughton Public Safety Committee from Shakers Saloon, LLC

Public Comment Period:

* Sharon Mason-Boersma, 243 E McKinley St., spoke regarding the Kiwanis Club Pancake Breakfast.
* Nicholas Watt, attorney for Shakers Saloon, spoke in support of Bradley Dillman as the agent for Shakers, LLC.
* Jeanette Mache, 1009 E Main St., spoke in support of Shakers Saloon license. She stated that the current owners have cleaned the bar up.
* Christopher Lipski, 3198 Duncan Rd., spoke in support of Shakers Saloon license.
* Vicky Elsing, 124 W. Chicago St., spoke in support of Shakers Saloon license. She stated she always feel safe at bar.
* Philip Elsing, 124 W. Chicago St., spoke in support of Shakers Saloon license.
* Renee Johnson, 179 Forton St., spoke in support of Shakers Saloon and she stated that he runs the karaoke nights.
* Steve Meyer 6519 Oakwood Pl., spoke in support of Shakers Saloon license.
* Bradley Dillman, 5309 Portsmouth Way, spoke in support of the council approving the change of agent for Shakers Saloon, LLC.

CONSENT AGENDA

A. February 25, 2020 Council Minutes

B. **R-38-2020-** Authorizing and directing the proper City official (s) to issue Operator Licenses to various applicants

Motion by Jenson, second by Heili to approve the consent agenda. Motion carried 10-0.

**OLD BUSINESS**

**O- 2-2020**- Amending Section 38-32 and 38-36(a) of the Historic Preservation Ordinance – Chapter 38 of the Stoughton Municipal Code

Motion by Ligocki, second by Reeves to approve O-2-2020 Amending Section 38-32 and 38-36(a) of the Historic Preservation Ordinance – Chapter 38 of the Stoughton Municipal Code. Peggy Veregin noted that the ordinance change is to add definitions to the ordinance. Motion carried 10-0.

**O- 3-2020**- Ordinance creating Section 74-16 of the City of Stoughton Municipal code of Ordinances, relating to Utilities and the creation of an ordinance for water cross connection control

Motion by Hirsch, second by Jenson to approve O-3-2020. Motion by Heili, second by Jenson to amned the ordinance to read “shall be promptly corrected by the property owner”. Motion carried 10-0. Original Motion carried on roll call vote 10-0.

**O-4-2020-** To create Section 74-2(f) of the City of Stoughton Code of Ordinances, relating to relocation of sewer connections

Motion by Hirsch, second by Jenson to approve O-4-2020 To create Section 74-2(f) of the City of Stoughton Code of Ordinances, relating to relocation of sewer connections. Motion carried 10-0 on roll call vote.

**O-5-2020**- Amending the zoning classification at 1640 E. Main Street in the City of Stoughton

Motion by Caravello, second by Schumacher to approve O-5-2020 Amending the zoning classification at 1640 E. Main Street in the City of Stoughton. Motion carried 9-0 with Heili abstaining.

**NEW BUSINESS**

**R-39-2020-** Authorizing and directing the proper city official(s) to amend the 2020-2024 CIP

Motion by Schumacher, second by Reeves to approve R-39-2020 Authorizing and directing the proper city official(s) to amend the 2020-2024 CIP. Motion carried 10-0.

**R-40-2020-** Authorizing and directing the proper City official(s) to enter into a task order agreement with Strand Associates for the design and engineering of Rotary Park improvements.

Motion by Schumacher, second by Reeves to approve R-40-2020. Motion carried 9-1 with Boersma voting ‘no’.

**R-41-2020**- Authorizing and directing the Director of Parks & Recreation to enter into an Outdoor Recreation Aids Grant Contract

Motion by Hirsch, second by Caravello to approve R-41-2020 Authorizing and directing the Director of Parks & Recreation to enter into an Outdoor Recreation Aids Grant Contract. Motion carried 10-0.

**R-42-2020**- Authorizing the submittal of a state grant application by the Director of Parks and Recreation and the $225,000 of City of Stoughton funds for a Municipal Flood Control Grant project Yahara River Park

Motion by Hirsch, second by Reeves to approve R-42-2020 Authorizing the submittal of a state grant application by the Director of Parks and Recreation and the $225,000 of City of Stoughton funds for a Municipal Flood Control Grant project Yahara River Park. Motion carried 10-0.

**R-43-2020**- Approving a Conditional Use Permit request by Maggie Gasner for a Group Daycare use at 1640 E. Main Street, Stoughton, Wisconsin

Motion by Caravello, second by Reeves Approving a Conditional Use Permit request by Maggie Gasner for a Group Daycare use at 1640 E. Main Street, Stoughton, Wisconsin. Motion carried 9-0 with Heili abstaining.

**R-44-2020-** Authorizing and directing the proper City Official(s) to issue a Six Month Class “B” Fermented Malt Beverage License to Stoughton Merchants Baseball

Motion by Jenson, second by Hirsch to approve R-44-2020 Authorizing and directing the proper City Official(s) to issue a Six Month Class “B” Fermented Malt Beverage License to Stoughton Merchants Baseball. Motion carried 9-1 with Boersma voting “no”.

**R-45-2020**- Authorizing and directing the proper city official(s) to approve the hiring of one full-time and one part-time City Custodian and accept the grade level of 3 from Springsted/Baker Tilly with a wage range of $15.45 - $20.39 per hour

Motion by Schumacher, second by Jenson to approve R-45-2020 Authorizing and directing the proper city official(s) to approve the hiring of one full-time and one part-time City Custodian and accept the grade level of 3 from Springsted/Baker Tilly with a wage range of $15.45 - $20.39 per hour. Motion carried 10-0.

**R-46-2020-** Authorizing and directing the proper city official(s) to approve the hiring of a Planning Department Engineering Technician and accept the grade level of 10 from Springsted/Baker Tilly with a wage range of $23.23 - $30.65 per hour

Motion by Schumacher, second by Jenson to approve R-46-2020 Authorizing and directing the proper city official(s) to approve the hiring of a Planning Department Engineering Technician and accept the grade level of 10 from Springsted/Baker Tilly with a wage range of $23.23 - $30.65 per hour. Motion carried 10-0.

**R-47-2020**- Authorizing and directing the proper city official(s) to appoint Matthew Hoks as agent for Kwik Trip Inc, d/b/a Kwik Trip #738, located at 1231 East Main St

Motion by Jenson, second by Heili to approve R-47-2020 Authorizing and directing the proper city official(s) to appoint Matthew Hoks as agent for Kwik Trip Inc, d/b/a Kwik Trip #738, located at 1231 East Main St. Motion carried 10-0.

**R-48-2020-** Authorizing and directing the proper city official(s) to appoint Bradley Dillman as agent for Shakers Saloon, LLC d/b/a Shakers Saloon, located at 111 Chalet Dr.

Motion by Jenson, second by Hirsch to approve R-48-2020 Authorizing and directing the proper city official(s) to appoint Bradley Dillman as agent for Shakers Saloon, LLC d/b/a Shakers Saloon, located at 111 Chalet Dr. Motion failed on a vote of 4-6 with Doom, Heili, Jenson, Ligocki, Reeves and Boersma voting ‘no’.

Discussion and decision on format of further arguments in Shakers Saloon, LLC Alcohol Beverage Licensing Matter:

* **Option A:** Allow Only Oral Arguments at the next Council Meeting
* **Option B:**  Allow Only Written Arguments and Set a Deadline for filing the Briefs
* **Option C:** Allow Both Oral and Written Arguments and Set a Deadline for filing the Briefs

Motion by Jenson, second Ligocki to go with Option C and allow testimony both ways and the deadline for filing the briefs Wednesday at noon for Shakers and Friday and noon for the prosecution. Motion carried 10-0.

The council recessed at 9:09 p.m.

The council resumed at 9:19 p.m.

**Discussion and possible action regarding Agreement with the Town of Rutland to improvements to Oak Opening Drive and Deer Point Drive within the Town**\*\*\*

Motion by Boersma, second by to going into closed session at 9:23 p.m. to go into closed session per State Statute 19.85(1)(e) for the purposes of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons deem a closed session necessary. Motion carried 10-0 on roll call vote.

**ADJOURNMENT**

Motion by Boersma, second by Jenson to adjourn at 10:11 p.m. Motion carried 10-0.