

**CITY OF VERONA**  
**MINUTES**  
**COMMON COUNCIL**  
**September 12, 2016**  
**Verona City Hall**

1. Mayor Hochkammer called the meeting to order at 7:12 p.m.
2. Pledge of Allegiance
3. Roll call: Alderpersons Luke Diaz, Jack Linder, Mac McGilvray, Heather Reekie, Scott Stewart, and Brad Stiner present. Alderpersons Elizabeth Doyle and Evan Touchett were absent and excused. Also in attendance: City Administrator Jeff Mikorski, Planning and Development Director Adam Sayre, Police Chief Bernie Coughlin, Public Works Director Theran Jacobson, City Engineer Jeff Montpas, and City Clerk Ellen Clark.
4. Public Comment:
  - Dan Sealy, 604 Willowbrook Trail, Sun Prairie, Wisconsin, spoke on behalf of Steve Brown Apartments regarding the General Development Plan for the West End Planned Unit Development. Based on previous discussions, some changes were made to the plan. Discussions with staff regarding traffic, access, parking, and the phasing of the development are ongoing.
5. Approval of Minutes from the August 22, 2016 Common Council meeting:  
Motion by McGilvray, seconded by Linder, to approve the minutes of the August 22, 2016 Common Council meeting. Motion carried 6-0.
6. Mayor's Business:
  - Mayor Hochkammer welcomed City Administrator Jeff Mikorski, and complimented him on his work with the city since starting on August 29<sup>th</sup>.
  - Compliments to anyone who volunteered or worked on the Ironman competition on Sunday, September 11<sup>th</sup>.
  - There will be a Committee of the Whole meeting on Monday, September 19<sup>th</sup> at 7:00 p.m., with a presentation by League of Wisconsin Municipalities Assistant Director, Curt Witynski, regarding new room tax legislation.
7. Administrator's Report:
  - Mikorski reported that the annual Fitch-Rona EMS meeting will be held Thursday, October 29<sup>th</sup> at 7:00 p.m. at the Verona Fire & EMS Station, 101 Lincoln Street.
  - Thanks to staff and counsel for their support in his first couple of weeks as administrator.
8. Engineer's Report:
  - Northern Lights/N. Nine Mound Road Construction:  
Work on this project is complete, with landscaping being completed this week
  - Downtown Street Reconstruction Phase I – Church Avenue, S. Marietta Street and Grove Street:  
Church Street, Grove Street and the parking lot were open prior to school beginning on September 1<sup>st</sup>. Restoration is ongoing. Water main installation on Marietta Street

is anticipated to be complete by mid-September. Sanitary sewer construction will begin near that time.

- USH 18/151/Epic Lane On-Ramp:  
Comments on the plans have been received from WisDOT. Once revisions are made, the plans will be ready for construction in 2017.
- 2016 Street Rehabilitation Project:  
Project is approximately 70% complete, with final completion anticipated in early October.
- Bike and Pedestrian Projects:  
Project #4 bike lane striping was bid. Project #3 CTH M intersection improvements is in the final design process. Surveying for Verona Avenue intersection improvements is scheduled for later this month, and design will be completed by year end.

9. Committee Reports:

**A. Plan Commission**

(1) Discussion and Possible Action Re: Resolution No. R-16-043 Approving a Conditional Use Permit to Allow an Indoor Commercial Entertainment Land Use at 1105 Laser Street. Motion by Linder, seconded by Diaz, to approve a conditional use permit to allow an indoor commercial entertainment land use at 1105 Laser Street with the following conditions:

1. The outdoor patio fencing shall be a minimum of 48" tall.
2. Alcohol consumption shall be limited to the fenced area as shown on the site plan or inside the winery. All areas where alcohol is consumed shall be monitored by staff.
3. The fence and gate for the outdoor patio shall comply with the requirements from the Police Department and Building Inspector.
4. The exit for the patio shall be labeled as an "exit only".
5. The use of the outdoor seating area is permitted to operate from 7:00 a.m. to 10:00 p.m. seven (7) days per week.
6. The applicant shall obtain all necessary alcohol licenses and operate in conformance to the requirements of the licenses.

This conditional use permit will allow Fisher King Winery to occupy 5,300 square feet of space with an event area and outdoor patio at the southeast corner of Liberty Drive and Laser Street. The Plan Commission held the required public hearing on September 6, 2016. Motion carried 6-0.

(2) Discussion and Possible Action Re: Resolution No. R-16-044 Approving a Conditional Use Permit to Allow an Indoor Entertainment Land Use at 1155 Clarity Street. Motion by Linder, seconded by Reekie, to approve a conditional use permit to allow an indoor entertainment land use at 1155 Clarity Street. This conditional use permit will allow E3Coaching Madison to occupy 2,400 square feet of space at 1155 Clarity Street to operate an indoor cycling and endurance training facility. The Plan Commission held the required public hearing on September 6, 2016. Motion carried 6-0.

(3) Discussion and Possible Action Re: Resolution No. R-16-045 Approving a Precise Implementation Plan (PIP) for a Planned Unit Development Located at 142 Paoli

Street That Would Allow for the Construction of a Mixed-Use Building Containing 29 Apartment Units and Approximately 3,005 Square Feet of Commercial Space. Motion by Linder, seconded by Reekie, to approve a Precise Implementation Plan at 142 Paoli Street with the following conditions:

1. Prior to the issuance of building permits, the Director of Planning and Development shall approve a revised landscaping plan
2. Prior to the issuance of building permits, the City Engineer shall review and approve the stormwater management plan.

This Precise Implementation Plan will allow for the construction of a mixed-use building containing 29 apartments units and approximately 3,000 square feet of commercial space. The Plan Commission held the required public hearing on September 6, 2016. Diaz stated he is happy with how the developer worked with the neighborhood. McGilvray stated he likes the way the project ended up looking and appreciates the developer working with the neighborhood. Mayor Hochkammer echoed the comments of Diaz and McGilvray. Motion carried 6-0.

- (4) Discussion and Possible Action Re: Resolution No. R-16-049 Approving a General Development Plan (GDP) for a Planned Unit Development (PUD) Located South of West Verona Avenue, West of West End Circle, East of Wall Street, and North of the West End Apartments. The proposed GDP will allow for construction of approximately 13,800 square feet of commercial space, a 32-unit apartment building, and 8 townhouses. The Plan Commission held the required public hearing on September 6, 2016.

Linder stated his primary concerns are traffic flow in regard to potential development to the south of this project, the orientation of the townhouses, and a two-way 24-foot private (backage) road between this development and the current apartments.

Planning & Development Director Sayre discussed the orientation of the townhouses. Three apartment buildings and the backage road are currently in place. The developer would like to allow parking on the backage road, but that is a detail that will have to be discussed. Some access issues will also be discussed. The challenge is the unknown about what is going to happen on the school district property. It may not be appropriate to delay any approvals based on what could happen out there until that referendum is put forward and approved. He is comfortable with the project with the conditions placed on it by the Plan Commission.

Discussion followed regarding concerns about allowing a private road, widening the road to allow acceptance as a city street, underground parking, orientation of the townhouses, parking, ingress and egress, pedestrian traffic issues, and possible vehicle traffic issues if a high traffic development is put in place at a later date. Motion by Linder, seconded by McGilvray, to approve a General Development Plan for a Planned Unit Development Located South of West Verona Avenue, West of West End Circle, East of Wall Street, and North of the West End Apartments, with the following conditions:

1. The apartment building shall provide one (1) underground parking space per unit.
2. A construction phasing plan for the development shall be approved as part of the precise implementation plan.
3. The applicant shall further review and explore the orientation of the townhouses.
4. The applicant shall further study the traffic analysis related to this development.

Linder stated the reason for the phasing plan is to get the retail going before the residential area.

Stiner stated there could be a real safety problem with this development. It is too congested.

McGilvray related his concerns about how traffic is going to access this and asked about having a dedicated lane there instead of having vehicles back up onto Verona Avenue. He asked if the large traffic impact of a high school in that area will be part of the traffic study. McGilvray stated the school development would be drawing people from around the area, not just for school events. The developer and staff should keep this in mind. He is supportive of what the developer is trying to do, but ingress and egress must be addressed.

Sayre replied that the school is doing its own traffic studies along with their plans.

Stiner stated the school district is counting very heavily on an exit onto Paoli Street or Hwy 69, which has the potential to take traffic from this area.

Motion by Reekie, seconded by McGilvray, to make the 24' private drive a public road.

Director of Public Works Jacobson stated that we would have to look at the design of the current road to determine what would have to be done to bring it up to city specifications.

McGilvray stated if we did it right, we'd be into the property line and into the buildings. Because of this, he would not support making this a public road.

Mayor Hochkammer agreed with McGilvray and urged the council not to support the amendment.

Reekie stated if this does not become a public road, no one will enforce parking.

The amendment failed 4-2, with Diaz, Linder, McGilvray and Stewart voting no.

The original motion carried 5-1, with Stiner voting no.

- (5) Discussion and Possible Action Re: Ordinance No. 16-882 Approving a Zoning Text Amendment to Amend Section 13-1-89(j) Relating to Commercial Animal Boarding. Motion by Lindner, seconded by Reekie, to approve a zoning text amendment to Section 13-1-89(j) relating to commercial animal boarding. This text amendment will modify the definition of a commercial animal boarding facility and conditional use permit regulations to allow outdoor exercise areas so long as they are located further than 300 feet from a residential land use, and are used between the hours of 7:00 a.m. and 7:00 p.m. The Plan Commission held the required public hearing on August 1, 2016. Motion carried 6-0.

## **B. Finance Committee**

- (1) Discussion and Possible Action Re: Payment of Bills. Motion by McGilvray, seconded by Linder, to pay the bills in the amount of \$1,494,243.12. Motion carried 6-0.
- (2) Discussion and Possible Action Re: Resolution No. R-16-046 Requesting Exemption from the Dane County Library Tax. Motion by McGilvray, seconded by Linder, to request exemption from the Dane County Library Tax. Since the City of Verona funds its own library, which exceeds the minimum standards established by the Dane County Board, the city may request an exemption from paying the Dane County Library Tax. The city needs to take action each year formally making the request to the Dane County Board. Motion carried 6-0.
- (3) Discussion and Possible Action Re: Resolution No. R-16-047 Designating Public Depositories and Authorizing Financial Signatories for the City of Verona. Motion by McGilvray, seconded by Linder, to designate public depositories and authorize financial signatories for the City of Verona. The list of approved depositories is reviewed annually by the Finance Committee. This resolution updates the list of approved signers on city accounts to reflect the name change for the City Administrator, Jeff Mikorski. Motion carried 6-0.
- (4) Discussion and Possible Action Re: Resolution No. R-16-048 Approving an Amendment to the 2016 City of Verona Fire Budget to Closeout the Fire and EMS New Building Project. Motion by McGilvray, seconded by Linder, to approve an amendment to the 2016 City of Verona Fire Budget to closeout the Fire and EMS new building project. The impact of this resolution will be to reduce the Fire Department operating fund balance in an amount not to exceed \$275,000 for pending expenditures. On roll call: All Aye. Motion carried.
- (5) Discussion and Possible Action Re: Acceptance of City and Utility Financial Statements. Motion by McGilvray, seconded by Linder, to accept the 2015 city and utility financial statements. This evening, the city's auditors from Baker Tilly Virchow Krause, LLP presented the 2015 audited city and utility financial statements to the Finance Committee. Motion carried 6-0.

## **C. Public Safety and Welfare Committee**

- (1) Discussion and Possible Action Re: Amendment of an Application for a Temporary Class "B" Retailer's License for Nest Fest on Saturday, September 24, 2016 from Michael O'Brien. Motion by Stewart, seconded by Reekie, to approve the amendment of an application for a temporary Class "B" Retailer's License for Nest Fest on Saturday, September 24, 2016. The Verona Wildcats Youth Hockey Association is requesting an amendment to their approved Temporary Class "B" Retailer's License for the Nest Fest event on September 24, 2016 to extend the hours of the license to begin at noon (12:00 p.m.) and end at Midnight (12:00 a.m.). The event will be located at 451 E. Verona Avenue. Motion carried 6-0.

## **D. Public Works/Sewer and Water Committee**

- (1) Discussion and Possible Action Re: Professional Services Agreement with AECOM for S. Main Street and Paoli Street Traffic Signals. Motion by McGilvray, seconded by

Diaz, to approve a professional services agreement with AECOM for S. Main Street and Paoli Street Traffic Signals, with total estimated fee not to exceed \$34,000. This agreement is for bidding support and design of a new traffic signal and minor intersection improvements at the intersection of S. Main Street and Paoli Street. Motion carried 6-0.

- (2) Discussion and Possible Action Re: Professional Services Agreement with D'Onofrio Kottke and Associates for S. Main Street Reconstruction as Part of the Downtown Streetscape Project. Motion by McGilvray, seconded by Diaz, to approve a professional services agreement with D'Onofrio Kottke and Associates for S. Main Street reconstruction as part of the Downtown Streetscape Project, with total estimated fee not to exceed \$58,200. This agreement is for the design of the reconstructed S. Main Street roadway section between the curb lines that is outside of the street scape project. Motion carried 6-0.
- (3) Discussion and Possible Action Re: Awarding the Contract for Construction of Bike Lane Pavement Striping. Motion by McGilvray, seconded by Diaz, to award the contract for construction of bike lane pavement striping to the sole bidder on the project, Century Fence Company (CFC), Pewaukee, WI, in the amount of \$37,565. The project will happen this fall, and will take approximately 4 days to complete. Motion carried 6-0.
- (4) Discussion and Possible Action Re: Awarding the Contract for Construction of the Verona Area Community Theater Parking Lot. This item does not come with a recommendation from committee, as Alder McGilvray excused himself from the discussion. Motion by Diaz, seconded by Reekie, to award the contract for the construction of the Verona Area Community Theater parking lot to Badgerland Excavating, Madison, WI, in the amount of \$166,922.50, with the understanding that the money for the project will be reimbursed from borrowing in the 2017 budget. There were three sealed bids for this project. Motion carried 5-0, with Alder McGilvray abstaining.
- (5) Discussion and Possible Action Re: Water Main Easement with Verona Area School District at Sugar Creek Elementary School. Motion by McGilvray, seconded by Diaz, to approve a water main easement with Verona Area School District at Sugar Creek Elementary School. Public Works staff coordinated with school district staff, and received school district approval of the easement prior to construction of the water main. There are no monetary commitments to this easement between the city and the school district. Motion carried 6-0.
- (6) Discussion and Possible Action Re: Consideration of a Claim Filed by Spencer and Darcy Stagman, 523 Basswood Avenue, for Property Damage Caused by a July 21, 2016 Rainstorm. The Stagmans submitted a claim to city staff for damage to their property during a storm event on July 21, 2016. The storm sewer system reached capacity due to the event, which produced 3.5 inches of rain over a one hour period. The property owner's basement flooded from runoff flowing through a storm water easement into a city owned drainage way in Cross Country Park. Action on this item has been deferred until the next Common Council meeting.

- (7) Discussion and Possible Action Re: Consideration of a Claim Filed by Maureen Tennison, 556 Hillcrest Drive, for Property Damage Caused by a July 21, 2016 Rainstorm. Ms. Tennison submitted a claim to city staff for damage to an underground swimming pool, which received construction debris in the form of sand and small gravel from the 2016 Street Rehabilitation Project. Motion by McGilvray, seconded by Diaz, to deny consideration of a claim from Maureen Tennison, 556 Hillcrest Drive. Motion carried 6-0.
9. New Business
- A. Discussion and Possible Action Re: Additional Polling Place and Extended Hours for 2016 General Election In-Person Absentee Voting. With Judge James Peterson's decision in the *One Wisconsin* Institute Case involving election-related legislation, most restrictions on early absentee voting have been lifted for the November 8<sup>th</sup> election. Staff recommends that the library be added as an additional polling location for in-person absentee voting, and that in-person absentee voting dates and hours for city hall be extended. Motion by McGilvray, seconded by Diaz, to approve an additional in-person absentee voting location at the Verona Public Library, 500 Silent Street, Verona, Wisconsin. Motion carried 6-0.
10. New Business
- A. Discussion and Possible Action Re: Approval of Operator Licenses. Motion by McGilvray, seconded by Diaz, to approve operator licenses for Kyla Cox for Mr. Brews Taphouse and Erin Ragotzkie for Tuvalu Coffehouse.
11. Announcements:
- Alder Stiner thanked the emergency services that worked at the Ironman contest on Sunday. Thank you to organizations that sold food and drink, as well.
  - McGilvray announced that a Public Information Meeting about the veterans' memorial and downtown street reconstruction will be held at the Senior Center on September 14th from 6 p.m. – 7 p.m.
12. Adjournment:
- Motion by Linder, seconded by McGilvray, to adjourn at 8:44 p.m. Motion carried 6-0.

Ellen Clark  
City Clerk