

**CITY OF VERONA**  
**MINUTES**  
**COMMON COUNCIL**  
**March 13, 2017**  
**Verona City Hall**

1. Mayor Hochkammer called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance
3. Roll call: Alderpersons Luke Diaz, Elizabeth Doyle, Jack Linder, Mac McGilvray, Heather Reekie, Scott Stewart, Brad Stiner and Evan Touchett present. Also present: City Administrator Jeff Mikorski, Planning and Development Director Adam Sayre, City Engineer Jeff Montpas, and City Clerk Ellen Clark.
4. Public Comment: None
5. Approval of Minutes from the February 27, 2017 Common Council Meeting: Motion by Reekie, seconded by Stewart, to approve the minutes of the February 27, 2017 Common Council meeting. Motion carried 8-0.
6. Mayor's Business:
  - The mayor announced that there will not be a quorum for the March 27, 2017 Common Council meeting.
7. Administrator's Report:
  - The city's organizational meeting will be held on Tuesday, April 18, 2017. The consensus of the Council was to hold the organizational meeting at 6:00 p.m. on that date
  - Mikorski announced upcoming special events in the city:
    - Glacier Edge PTO Color Run – May 3<sup>rd</sup> from 5: -7:30 p.m.
    - Annual Pedaling for Pancreas Bike Ride – May 13<sup>th</sup> from 7 a.m. – 11 a.m.
8. Engineer's Report:
  - Downtown Streetscape – a Public Information Meeting will be held on Tuesday, March 21<sup>st</sup> in the Council Chambers at City Hall. A time has not been determined.
  - Retaining walls are started on the south side of the CTH PD reconstruction.
  - Design of PD from Woods Road to M has moved forward.
  - The signal designs were bid last week, and a recommendation for construction services will be presented at tonight's meeting.
  - AECOM has started work on the city parking lot reconstruction.
9. Committee Reports:
  - A. Personnel Committee**
    - (1) Discussion and Possible Action Re: Resolution No. R-17-016 Approving a Collective Bargaining Agreement with Local 311 of the International Association of Professional Firefighters, AFL-CIO for 2017-2019. Motion by Doyle, seconded by Reekie, to approve the Collective Bargaining Agreement with Local 311 of the International Association of Professional Firefighters, AFL-CIO for 2017-2019. Mikorski stated that this contract works for both the city and the firefighters. Motion carried 8-0.

## **B. Finance Committee**

- (1) Discussion and Possible Action Re: Payment of Bills. Motion by McGilvray, seconded by Doyle, to approve the payment of bills in the amount of \$205,470.74 . Motion carried 8-0.
- (2) Discussion and Possible Action Re: Resolution No. R-17-017 Designating Public Depositories and Authorizing Financial Signatories for the City of Verona, Dane County, Wisconsin. Motion by McGilvray, seconded by Doyle, to approve Resolution No. R-17-017 Designating and Authorizing Financial Signatories for the City of Verona, Dane County, Wisconsin. This resolution allows the new Finance Director, Brian Lamers, to conduct the city's financial business. Motion carried 8-0.

## **C. Planning Commission**

- (1) Discussion and Possible Action Re: Resolution No. R-17-018 Approving a Conditional Use Permit for a Group Daycare Center and Group Development Land Use to be Located on Lot 25 of Liberty Business Park. Motion by Linder, seconded by Doyle, to approve Resolution No. R-17-018 approving a Conditional Use Permit for a group daycare center and group development land use to be located on Lot 25 of Liberty Business Park, with the following condition:
  1. Prior to the issuance of building permits, the developer shall enter into a developer's agreement with the City for the extension of Laser Street. This conditional use permit would allow for the construction of a 12,600 square foot daycare center. Motion carried 8-0.
- (2) Discussion and Possible Action Re: Resolution No. R-17-019 Approving a General Development Plan (GDP) for a Mixed Use Project Located at 501 West Verona Avenue, 503 West Verona Avenue, 507 West Verona Avenue, 513 West Verona Avenue, 100 Legion Street, and 501-522 Topp Avenue. Motion by Linder, seconded by McGilvray, to approve Resolution No. R-17-019 approving a General Development Plan (GDP) for a mixed use project located at 501 West Verona Avenue, 503 West Verona Avenue, 507 West Verona Avenue, 513 West Verona Avenue, 100 Legion Street, and 501-522 Topp Avenue, with the following conditions:
  1. Prior to the submittal of a PIP, a Traffic Impact Analysis (TIA) shall be completed and approved by City Staff.
  2. The GDP shall become effective upon Forward Development Group acquiring the properties identified within the GDP submittal.

This General Development Plan will allow for the construction of approximately 24,800 square feet of commercial space, and 255 apartment units south of West Verona Avenue and west of Legion Street. Mr. Sayer stated the project went before the Planning Commission in February of this year. The Commission had concerns about the project's overall density and phasing of the project. The developer has since made modifications to the project. Approximately 40% of the apartment units are now in the mixed use section of the project along Verona Avenue. The hotel and banquet facility is not included in this GDP, but it could be added at a later date, or constructed under conventional zoning. Diaz requested a roll call vote on this item, and asked if this project is possible without a TIF.

Sayre stated that, due to contamination issues, a TIF will be necessary for this project.

Diaz asked if there is a plan to relocate residents currently residing in the apartment buildings on this property.

Sayre stated that he is not aware of such a plan.

Diaz stated that he is not able to support using TIF incentives for a project that will displace people from their homes.

Doyle concurred with Alder Diaz, and stated that she was disappointed that the density was decreased.

Touchett asked if the developer is planning to accommodate those who will be losing their homes because of this project.

Ron Henshue, representing Forward Development Group, stated that there is nothing in place now, but that is something we could look at farther down the road into the project. The changes that were made to the project made phasing more practical, and may potentially provide for some phasing and possibly less displacement.

Linder stated that the residential area on the south side went from four stories to three stories. It is still pretty dense compared to most other developments in the city.

Reekie stated that if she knew that the people being displaced would be able to afford the new apartments, she could support the project, but she cannot support the city displacing people and giving them no other place to go

Touchett stated that he likes the mixed use, and asked what a TIF means in this instance.

Henshue stated that there is concern in regard to the residents that are there. We can develop a plan for that. Financial assistance is needed for many reasons. Most important is environmental remediation, the second is relocation of current businesses. Without the assistance of a TIF, this is not a viable project. The density provides tax increment, which helps pay for the financial assistance of a TIF.

Diaz asked if we will have leverage down the road. Once we approve this, we are obligating ourselves to approve things later?

Sayre stated there is a developer's agreement with this project with city incentives involved. We can't expect the developer to have a plan for addressing displacement if the city won't allow the project to begin.

Doyle asked if there will be an affordability component with the new apartment complexes.

Mayor Hochkammer encouraged the council to approve the GDP. The city has worked hard with the developer. This project improves a blighted area and cleans up the property.

McGilvray asked how much the environmental remediation will cost. No project will take place here until environmental remediation takes place. That is why the need for a TIF.

Henshue stated the incentive will range from \$750,000 to \$3.5 million for remediation alone. They anticipate generating \$30-\$35 million in tax increment from those properties. They are applying for a grant that would reimburse

approximately two-thirds of the remediation costs. They would need an additional \$3-\$5 million in financial assistance.

Touchett asked if we approve this GDP tonight, will we have to come up with a TIF vote at some point, as well.

Sayre stated if we approve the GDP tonight, we will be locking in density, design and square footage.

Reekie asked if the design of some of the apartments could be made smaller and more affordable.

McGilvray stated that he supports this project. Because of the proximity to the downtown, it makes sense to support the higher density of this project. He would like to see the city capture more office-type businesses ancillary to Epic, etc. Any time you redevelop, people and businesses are pushed out. These are the hard decisions, but there is no way to do what we're saying we want to do without displacing people.

On roll call, motion carried 5-3, with Alders Diaz, Doyle and Reekie voting no.

#### **D. Public Safety & Welfare Committee**

- (1) Discussion and Possible Action Re: An Application for a Combination Reserve "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverages License from Liberty Business Park Hospitality, LLC, d/b/a Bar & Restaurant at the Hyatt Place Hotel, Located at 846 Liberty Drive, Verona, WI, David K. Reinke, Agent. Motion by Stewart, seconded by Reekie, to approve a Combination Reserve "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverages License from Liberty Business Park Hospitality, LLC, d/b/a Bar & Restaurant at the Hyatt Place Hotel, located at 846 Liberty Drive, Verona, WI, David K. Reinke, Agent, for the interior portions of the requested license area only, and contingent upon successful completion of city building and fire inspections. Motion carried 8-0.
- (2) Discussion and Possible Action Re: An Application for "Class A" Intoxicating Liquor and Class "A" Fermented Malt Beverages Licenses from Casey's Marketing Company, d/b/a Casey's General Store #3586, Located at 103 Prairie Oaks Drive, Verona, WI, Emma Monheim, Agent. Motion by Stewart, seconded by Reekie, to approve Class "A" Intoxicating Liquor and Class "A" Fermented Malt Beverages Licenses to Casey's Marketing Company, d/b/a Casey's General Store #3586, located at 103 Prairie Oaks Drive, Verona, WI, Emma Monheim, Agent. Casey's Marketing Company is purchasing the property at 103 Prairie Oaks Drive from Francois Oil Company, Inc., d/b/a The Station. The applicant is requesting that the licenses be effective March 14, 2017. Motion carried 8-0.
- (3) Discussion and Possible Action Re: An Application for a Cigarette and Tobacco Products Retail License from Casey's Marketing Company, d/b/a Casey's General Store #3586, Located at 103 Prairie Oaks Drive, Verona, WI. Motion by Stewart, seconded by Reekie, to approve a Cigarette and Tobacco Products Retail License for Casey's Marketing Company, d/b/a Casey's General Store #3586, located at 103 Prairie Oaks Drive, Verona, WI. Motion carried 8-0.

#### **E. Public Works/Sewer & Water Committee**

- (1) Discussion and Possible Action Re: Awarding the Contract for New Traffic Signals at the Intersections of Old CTH PB & Whalen Road, South Main Street & Paoli Street, and West Verona Avenue & West End Circle (Project IDs 2016-103, 2016-114 and 2016-122). Motion by Touchett, seconded by Diaz, to award the contract for new traffic signals at the intersections of Old CTH PB & Whalen Road, South Main Street & Paoli Street, and West Verona Avenue & West End Circle to Parisi Construction in the amount of \$579,586.80. Two bids were received for this project. The base bid was submitted by Parisi Construction, Verona, in the amount of \$579,586.80. The engineers' estimate prior to bid opening, without contingencies, was \$712,630.25. Motion carried 8-0.
- (2) Discussion and Possible Action Re: A Professional Services Contract with AECOM for Construction Management and Inspection Services for New Traffic Signals at the Intersections of Old CTH PB & Whalen Road, South main Street & Paoli Street, and West Verona Avenue & West End Circle (Project IDs 2016-103, 2016-114 and 2016-122). Motion by Touchett, seconded by McGilvray, to approve a Professional Services Contract with AECOM for construction management and inspection services for new traffic signals at the intersections of Old CTH PB & Whalen Road, South Main Street & Paoli Street, and West Verona Avenue & West End Circle (Project IDs 2016-103, 2016-114 and 2016-122). The contract cost is not to exceed \$48,705. Motion carried 8-0.
- (3) Discussion and Possible Action Re: An Agreement for Purchase and Sale of Real Estate for Land at Parcel 12 of the Transportation Project Plat 5992-09-81. Motion by Touchett, seconded by Diaz, to approve an agreement for purchase and sale of real estate for land at Parcel 12 of the Transportation Project Plat 5992-09-81. This agreement is for sale of land only. No additional commitments or requests are included with this acquisition. The agreement cost is \$13,200. The city attorney has reviewed the documents, and has no concerns.
- (4) Discussion and Possible Action Re: A Developer's Agreement for Kettle Creek North Phase I. Motion by Touchett, seconded by Diaz, to approve a Developer's Agreement for Kettle Creek North Phase I. Phase I of Kettle Creek North includes 23 lots. Construction of public improvements is expected to be substantially completed in mid-July, pending permit approvals. This is a standard Developer's Agreement. Motion carried 8-0.

#### **10. Old Business**

- (A) Discussion and Possible Action Re: A Developer's Agreement for Cellular Dynamics International (CDI). Administrator Mikorski explained that FUJIFILM/Cellular Dynamics, Inc. is proposing a project to the Planning Commission in April, 2017. The first phase will be a 133,700 gross square foot building with approximately 280 staff on-site, located in the Verona Technology Park. City administration would like to discuss with City County regarding the Developer's Agreement and the investing of public funds regarding Tax Increment Financing District #8. Motion by Touchett, seconded by McGilvray, to convene in closed session, as authorized by Wisconsin Statute 19.85(1)(e), for the purpose 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. The Common Council may reconvene in open session to discuss and take action on the subject matter discussed in the closed session. On roll call: Motion carried 5-3, with Diaz, Doyle and Reekie voting no. The Common Council convened in closed session at 8:07 p.m.

#### CLOSED SESSION

Motion by Touchett, seconded by Diaz, to reconvene in open session at 8:24 p.m.  
Motion carried 8-0.

#### 11. New Business.

- A. Discussion and Possible Action Re: Approval of Operator Licenses. Motion by McGilvray, seconded by Reekie, to approve operator licenses for Tanya Fitzsimons at Kwik Trip #837; Kerri Phillips at Wisconsin Brewing Company; and Benjamin Sosalla at Hop Haus. Motion carried 8-0.

#### 12. Announcements:

- Stiner announced that the Verona Dementia Committee's training has taken place at several businesses in the city.
- There will be a celebration for the city's 175<sup>th</sup> anniversary party. If you are willing to help with the organization of this event, please step forward.
- Doyle announced that the Trinity Irish Dancers will be at the library this Thursday evening at 6:30 p.m.
- McGilvray wished everyone a Happy St. Patrick's Day.

#### 13. Adjournment:

Motion by McGilvray, seconded by Reekie, to adjourn at 8:30 p.m. Motion carried 8-0.

Ellen Clark  
City Clerk