

**CITY OF VERONA**  
**MINUTES**  
**COMMON COUNCIL**  
**July 23, 2018**  
**Verona City Hall**

1. Mayor Diaz called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance
3. Roll call: Alderpersons Kate Cronin, Sarah Gaskell, Charlotte Jerney, Chad Kemp, Katie Kohl, Heather Reekie and Evan Touchett present. Also present: City Administrator Jeff Mikorski, Planning and Development Director Adam Sayre, Public Works Director Theran Jacobson, City Attorney Bryan Kleinmaier, City Engineer Jeff Montpas, and City Clerk Ellen Clark.
4. Public Comment:
  - Sylvia Novak, 110 Lincoln Street, spoke in opposition to the 102/104 Lincoln Street 90-unit multi-family project. Her concern is about foot and vehicle traffic in the Lincoln Street area. She feels single family homes, condos or storage units would be a better idea.
  - Randy Bruce, Knothe & Bruce Architects, spoke in favor of the 102/104 Lincoln Street 90-unit multi-family project. He believes this is the best development option for this property. Multiple changes have been made based on comments from the Plan Commission and the neighborhood residents. He asked the Common Council to approve the project.
  - Laurie Everitt, 202 S. Jefferson Street, spoke in opposition to the 102/104 Lincoln Street 90-unit multi-family project. She is concerned about increased traffic, and would like to see light industrial remain on that property.
  - Patty Lillesand, 100 Schweitzer Drive, spoke in opposition to the 102/104 Lincoln Street 90-unit multi-family project. She feels the density is too high for this neighborhood, making it a danger to those in the neighborhood who like to walk, as well as to those using the Military Ridge Trail.
  - Joyce Freisinger, 265 S. Franklin Street, spoke in opposition to the 102/104 Lincoln Street 90-unit multi-family project. She is concerned about the size and density of the project, and would like to see a community center built on this site.
  - Richard Novak, 110 Lincoln Street, spoke in opposition to the 102/104 Lincoln Street 90-unit multi-family project. He is concerned about increased traffic in the neighborhood, and would like to see a parking lot built on this property.
  - Brian Stoddard, Knothe & Bruce Architects, noted that this site was part of the downtown development and traffic mobility plan. This is the perfect use for this site. The bike path provides a nice buffer to the neighborhood. From a traffic perspective, this is where you want the people. You want them close to the things they'll be using, so they're walkable.

- Susan Smith, 301 Valley View Street, spoke in opposition to the 102/104 Lincoln Street 90-unit multi-family project. She is concerned about increased traffic in the neighborhood.
  - Mike Matney, 105 S. Jefferson Street, spoke in opposition to the 102/104 Lincoln Street 90-unit multi-family project. He is concerned about the density of the project and the amount of noise it will bring to the neighborhood.
  - Ed Atkinson, 203 S. Jefferson Street, spoke in opposition to the 102/104 Lincoln Street 90-unit multi-family project. He feels a three-story building will be out of place in this neighborhood.
5. Approval of Minutes from the July 9, 2018 Common Council meeting:  
Motion by Reekie, seconded by Kemp, to approve the minutes of the July 9, 2018 Common Council meeting. Motion carried 7-0.
6. Mayor's Business:  
A. Presentation by Verona Road Business Coalition.

Cindy Jaeggi, Jeff Rollinger and Dale Benjamin thanked the City of Verona for their generous support in of the Verona Road Business Coalition and updated the Council on the advocacy projects and milestones met in 2017. The coalition uses advocacy, education and communication, and marketing and promotions to support businesses along the Verona Road corridor.

B. Consideration of candidates for District 1 Alderperson vacancy

The following candidates for the District 1 Alderperson vacancy made statements to the Council supporting their resume and answers to the nine questions asked of them as part of the application process:

- Robert Feller, 983 Hillside Way  
Mr. Feller is nearly a lifetime resident of the city, and owns a business here. He would like to see Verona continue to thrive. He believes that a variety of businesses in the City that would employ the youth of the community would create opportunities for business diversity and youth employment.
- Christine Posey, 741 Aspen Avenue  
Ms. Posey has chosen Verona as her place to live and raise her family. She enjoys being a part of the community, and works with the youth of the area about leadership. She would like to step into a leadership role herself now. Her education and background are in human studies. She believes that as the community grows, some people can become hidden. We must keep an eye on the health and human services required by those in the community, so that as the community grows, we bring everyone along.

Mayor Diaz explained that the Council will be voting on the two District 1 Alderperson candidates at the August 27, 2018 meeting. Because there are only two candidates, ranked choice voting will not be used.

7. Announcements:

- Ms. Jerney attended her first meeting of the Dementia Friendly Verona Task Force. She is pleased to represent them.
- A Family Fund Raiser will be held by the Friends of the Senior Center on Saturday, July 28<sup>th</sup>.

8. Administrator's Report:

- Mr. Mikorski reported that the position posting for HR Coordinator closed on July 16<sup>th</sup>. He will be choosing candidates for interviews in the next week or so.
- He attended the Cities and Villages Mutual Insurance Company (CVMIC) Summer Conference last week in Green Bay. The company is looking at new options for insurance coverage to be available to us.

9. Engineer's Report:

- 2018 streets rehabilitation – This project is nearing completion.
- East Verona Avenue pavement rehabilitation – This project is complete.
- City parking lot reconstruction – Paving and striping are complete. Electrical and landscaping at the library should be completed the week of July 23<sup>rd</sup>.
- Downtown streets reconstruction phase II – This project is complete.
- Old CTH PB bridges – Estimated opening date for the bridges is August 17<sup>th</sup>.

10. Committee Reports:

**A. Plan Commission**

- (1) PUBLIC HEARING: Reconsideration of a general development plan (GDP) for a planned unit development (PUD) to be located at 102/104 Lincoln Street that would allow for the construction of 90 multi-family units. Any of the comments from the public comment portion of this meeting will be incorporated into the public hearing. Motion by Gaskell, seconded by Touchett, to open the Public Hearing at 8:17 p.m. Motion carried 7-0.

There were no comments from the public.

Motion by Gaskell, seconded by Touchett, to close the public hearing at 8:18 p.m.

- (2) Discussion and Possible Action Re: Resolution No. R-18-038 approving a general development plan to be located at 102/104 Lincoln Street that would allow for the construction of 90 multi-family units. This general development plan (GDP) was discussed by the Council on March 12, 2018 and denied. On June 11, 2018, the Council discussed three development options for the property, including a three-story, 90-unit multi-family building, a 47,000 square foot three-story office building, and a one-story industrial building. There was no vote on the item at that meeting. Alderpersons Kemp, Kohl and Cronin have requested that the denied GDP be placed on the Common Council agenda for reconsideration.

The overall parking ratio for this project is 1.66 parking stalls per unit, which Staff believes to be sufficient.

The downtown development plan recommended that this property be developed as a multi-family development for 72 apartments. Staff believes that the request for a

90-unit multi-family development is within the spirit and intention of the downtown plan. When that plan was adopted, this property was looked at as a potential development site. From a traffic standpoint, AECOM did a brief traffic study as part of this development, and a full analysis was done when the downtown plan was adopted. In general, the findings were that the signal timing will need to be adjusted, and that the development traffic will have a small impact on the neighborhood south of the project.

Mr. Touchett stated he would like to stick to the downtown plan if possible. He doesn't feel he can support a 90-unit proposal, but could support a 72 unit project.

Ms. Cronin stated this is an opportunity for us to create opportunities for people to walk and bike to their destinations. This is a good use of space, and the developer has been responsive to the concerns of the community. This is a once in a lifetime opportunity to get some good quality housing in downtown Verona.

Motion by Gaskell, seconded by Kemp, to approve Resolution No. R-18-038 approving a general development plan to be located at 102/104 Lincoln Street that would allow for the construction of 90 multi-family units.

Mayor Diaz does not like the idea of this project. He is concerned about density, as well as potential traffic and parking issues. He asked Mr. Kleinmaier to explain mayoral vetoes.

Mr. Kleinmaier explained that a City mayor can veto action taken by a Common Council. The city clerk presents the action to the mayor, who indicates his approval by putting his signature to the action within 5 days after being presented with the action. If the mayor does not put his signature to the action within 5 days, the action is automatically approved, and remains as voted on by the Council. If the mayor vetoes a council measure, he must present the objections to the city clerk, who must present them to the Council at its next meeting, at which time the Council must address the issue in some way. The Council may override the mayor's veto by a two-thirds vote of all its members.

Mayor Diaz stated he would not veto a motion if he felt there was a chance that the veto would be overridden.

On roll call: Alder Kemp – Aye; Alder Kohl – Aye; Alder Reekie – Aye; Alder Touchett – Nay; Alder Cronin – Aye; Alder Gaskell – Aye. Alder Jerney – Aye. Motion carried 6-1.

## **B. Finance Committee**

- (1) Discussion and Possible Action Re: A revaluation and maintenance contract with Musser Appraisal Service for assessor services. Motion by Kemp, seconded by Cronin, to approve a revaluation and maintenance contract with Musser Appraisal Service for assessor services. This contract would allow Musser Appraisal Services (Paul Musser) to continue his work as the City's assessor for the next four years. The contract includes maintenance costs for a four-year period, and revaluation costs for a 2-year period. Motion carried 7-0.
- (2) Discussion and Possible Action Re: Payment of Bills. Motion by Kemp, seconded by Reekie, to pay the bills in the amount of \$457,341.69. Motion carried 7-0.

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

- (1) Discussion and Possible Action Re: A Special Event Permit application from Patricia Ullsperger for the Fisher King Winery 5K Run/Walk on Saturday, September 15, 2018 from 9 a.m. – 3 p.m. Motion by Reekie, seconded by Kohl, to approve a Special Event Permit application from Patricia Ullsperger for the Fisher King Winery 5K Run/Walk on Saturday, September 15, 2018 from 9 a.m. – 3 p.m., contingent upon submission of a Certificate of Insurance listing the City of Verona as the Certificate Holder. Fisher King Winery is sponsoring a 5K Run/Walk, with proceeds going to the Dane County Humane Society. The event route begins and ends at Fisher King Winery, and follows CTH PB, CTH M, and the Ice Age Trail. A post-race celebration will be held in the parking lot in front of the winery, and will include food, beverages and music. A full description of the event is included with the application. A temporary premises description amendment is required for serving alcohol in the winery's parking lot. Motion carried 7-0.
- (2) Discussion and Possible Action Re: A temporary premises description amendment for Fisher King Winery, 1105 Laser Street, to include the parking lot area in front of the winery on Saturday, September 15, 2018 from 9 a.m. – 3 p.m. Motion by Reekie, seconded by Kohl, to approve a temporary premises description amendment for Fisher King Winery, 1105 Laser Street, to include the parking lot area in front of the winery on Saturday, September 15, 2018 from 9 a.m. – 3 p.m. This premises description amendment is required for serving alcohol in the Fisher King Winery parking lot during the post-race celebration. Motion carried 7-0.

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

- (1) Discussion and Possible Action Re: A professional services agreement with Brown and Caldwell for Project ID 2018-114, Lincoln Street stormwater facility not to exceed \$108,800. Motion by Touchett, seconded by Kemp, to approve a professional services agreement with Brown and Caldwell for Project ID 2018-114, Lincoln Street stormwater facility, not to exceed \$108,800. This contract is for engineering services for providing stormwater quality treatment of the Lincoln Street Channel Watershed runoff, maintaining the current pollution and peak flow requirements of the existing City Hall treatment system, and allowing future development and redevelopment within the watershed. Motion carried 7-0.

- (2) Discussion and Possible Action Re: An offer to purchase for lands necessary on Parcel 7 for Transportation Project Plat 100-00-53100-230-173 under Project ID 2016-123, CTH PD.

*The Common Council may convene in a 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 an open session to discuss and take action on the subject matter discussed in the closed session.*

Motion by Touchett, seconded by Gaskell, to approve an offer to purchase lands necessary on Parcel 7 for Transportation Project Plat 100-00-53100-230-173 under Project ID 2016-123, CTH PD.

This property is located on the north side of CTH PD and is the University Ridge golf course. This is a land sale only. The CTH PD project requires the following: 0.567 acres of Highway easement and 1.833 acres of Temporary Limited Easement. The offer presented to the owner is \$49,800. Motion carried 7-0.

The Common Council did not convene in closed session for this item.

- (3) Discussion and Possible Action Re: An offer to purchase for lands necessary on Parcel 4 for Transportation Project Plat 100-00-53100-230-173 under Project ID 2016-123, CTH PD.

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Mr. Kleinmaier explained that the Council may hear the open session update on item 11.A. now, and move to convene in closed session one time for Item 10.D.(3) and Item 11.A, making separate motions for each.

Mayor Diaz requested unanimous consent to convene in closed session one time for Item 10.D.(3) and Item 11.A. There were no objections.

This property is located on the south side of CTH PD across from Woods Road. This is a land sale only. The CTH PD project requires the following: 0.299 acres of Fee Right of Way and 0.162 acres of Temporary Limited Easement. The offer presented to the owner is \$26,300. The landowner has not accepted the City's offer. Staff would like to go into closed session to discuss the landowner's counter-offer.

Motion by Touchett, seconded by Kemp, to convene in a 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 an open session to discuss and take action on the subject matter discussed in the closed session.

On roll call: Alder Kohl – Aye; Alder Reekie – Aye; Alder Touchett – Aye; Alder Cronin – Aye; Alder Gaskell – Aye; Alder Jerney – Aye; Alder Kemp – Aye.  
Motion carried 7-0.

The Common Council convened in closed session for Item 10.D.(3) at 9:07 p.m.

#### CLOSED SESSION

Motion by Touchett, seconded by Kemp, to reconvene in open session. Motion carried 7-0. The Common Council reconvened in open session at 10:27 p.m.

Motion by Touchett, seconded by Cronin, to approve the offer to purchase for lands necessary on Parcel 4 for Transportation Project Plat 100-00-53100-230-173 under Project ID 2016-123, CTH PD for the amount of \$33,900. Motion carried 7-0.

11. Old Business

- A. Discussion and Possible Action Re: Update on the Verona Area School District new high school project as it relates to the approved VASD Development Agreement  
*The Common Council may convene in a 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 an open session to discuss and take action on the subject matter discussed in the closed session.*

The School District has been unable to secure the property necessary to create an access point to the new high school at Nine Mound Road. They have asked the City to open negotiations regarding the School District's transportation plan and improvements. City Staff has been in discussions with School District representatives regarding alternatives to the purchase of the Nine Mound property. With each alternative, there is a cost and potential change to the Development Plan. Staff would like to update the Council regarding the discussions that have taken place, and ask for Council direction.

Mr. Kleinmaier explained that he received a letter from the attorney representing the Verona Area School District, asking us to reopen negotiations on the Development Agreement between the School District and the City, as the School District was not able to reach an agreement with a property owner related to where a road would be located.

Since then, City staff and School District staff have met with two property owners – Russ and Vicky Swiggum, whom the School District had previously negotiated with; and The Coating Place. The City and the School District have moved quickly with these negotiations. We have a good history of having these negotiations in open session, but Staff would like to go into closed session tonight because we now have third-party private property owners involved. We are in a spot where we'll have to reopen and find new terms for the development agreement as it relates to this transportation project. We need guidance from the Council as to where to go with this. Initial discussions have been fruitful to this point, so there will likely be further discussions.

Motion by Touchett, seconded by Cronin, to convene in a 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 an open session to discuss and take action on the subject matter discussed in the closed session. On roll call: Alder Reekie – Aye; Alder Touchett – Aye; Alder Cronin – Aye; Alder Gaskell – Aye; - Alder Jerney – Aye; Alder Kemp – Aye; Alder Kohl – Aye. Motion carried 7-0.

The Common Council convened in closed session for Item 11.A. at 9:08 p.m.

CLOSED SESSION

Motion by Touchett, seconded by Kemp, to reconvene in open session. Motion carried 7-0. The Common Council reconvened in open session at 10:27 p.m.

Mr. Kleinmaier presented an update for the public. The Common Council was provided with an update by City staff on the negotiations that are taking place regarding the transportation project for the new high school. The Council is happy with the negotiations that have taken place since the last Common Council meeting just two weeks ago, and encourages future collaborative discussions between the City staff, School District staff, and the property owners. At this point the Common Council would like to see the City and School District come to an agreement with one of the property owners with whom we've had preliminary negotiations.

12. New Business

A. Discussion and Possible Action Re: Approval of operator licenses. Motion by Touchett, seconded by Kemp, to approve operator license applications as presented by the City Clerk. Motion carried 7-0.

13. Adjournment:

Motion by Touchett, seconded by Kohl, to adjourn at 10:30 p.m. Motion carried 7-0.

Ellen Clark  
City Clerk