

CITY OF VERONA
MINUTES
COMMON COUNCIL
February 22, 2021
Verona City Hall

Due to the COVID-19 pandemic, the Verona Common Council held its meeting as a virtual meeting. The Common Council did not meet at City Hall, 111 Lincoln Street. Members of the Common Council and Staff joined the meeting by using Zoom Webinar. Members of the public were able to join the meeting using Zoom Webinar via a computer, tablet, or smartphone, or by calling into the meeting via phone.

1. Mayor Diaz called the meeting to order at 7:02 p.m.
2. Pledge of Allegiance
3. Roll call: Alderpersons Kate Cronin, Christine Posey, Charlie Ryan, Chad Kemp Heather Reekie, Evan Touchett, Charlotte Jerney, and Katie Kohl were present. Also present: City Administrator Adam Sayre and City Engineer Carla Fischer.
4. Public Comment: None
5. Approval of minutes from the February 8, 2021 Common Council meeting. Motion by Touchett, seconded by Reekie, to approve the minutes of the February 8, 2021 Common Council meeting. Motion carried 8-0.
6. Mayor's Business:

- Introduction of Superintendent Dr. Tremayne Clardy
Clardy shared that he is excited to be with the Verona Area School District (VASD) and stated that he wants to see VASD be the national model.

Kemp asked what is your position for the Police School Liaison Officer (PSLO) and what ways can the City make the partnership better between the high school and the City.

Clardy shared that physical and emotional safety is important to him. His desire is for staff to be culturally responsive to students as well as additional training. Regarding the partnerships, he understands that there are multiple ways to get to agreements and disagreements should be done with honor. Students are the focus and are the center of the decisions.

Touchett asked Dr. Clardy views on his philosophy and realistically what it would take for children to be in school fulltime.

Clardy responded that it would be dishonest for him to say a concrete answer. The topic is being talked about and they are looking at all the options.

Kohl asked how the City can help promote equity in the school and not letting kids

get lost through the system.

Clardy stated that the best way the City can help is to promote equity is by talking about it with others. Equity does not mean equal. It means taking action steps to achieve it with the City and the school.

Reekie mentioned that anti-racist Resolution that was passed a few months ago mentioned training for City Staff and was wondering if this is a way that the City could partner with the school district by all getting the same training.

7. Announcements: None

8. Administrator's Report:

- Joint Review Board meeting will be held on February 23rd.
- Joint City/Town Planning meeting will be held on February 24th.
- There will be a public informational meeting about the public park going in the site of the former New Century/Sugar Creak School sites on February 25th.
- Plan Commission meeting is on March 1st.
- Council Organizational meeting will be on April 20th at 6:00 p.m.
- Upcoming Public Hearings:
 - Costco Precise Implementation Plan (PIP)
 - Hop Haus patio
 - Prairie Oaks General Development Plan (GDP) two apartment buildings
 - TID 9
 - Amendment to Section 14-1-70(u)(9) of the Subdivision Ordinance for street names
- An election was held on February 16th, the only item on the ballot was the State Superintendent of Public Instruction. A total of 990 people voted in the City, 568 people voted absentee and 422 voted in-person at the polls.
- The application deadline for the vacant City Clerk position has been extended. The position will remain posted until filled and Staff will provide a first review of applications on March 1st. Staff is extended the deadline in hopes of received additional qualified applicants. Staff did make some minor changes to the position description in hopes of obtaining more applicants. Both the City Administrator and Human Resources Coordinator are working together on this recruitment. Details of the recruiting process are being coordinated with the Chairperson of the Personnel Committee and will be shared with the Common Council in the near future.

Cronin asked what qualifications were changed or added to the posting for the City Clerk position.

Sayre responded that a bachelor's degree was in the original post and is changed to a high school diploma, high school equivalent, or government experience requirement after discussions with other clerks in the area.

9. Engineer's Report:

Eastside Interceptor

- Traffic Control
 - Bruce Street is currently open to traffic.
 - Bruce Street will be closed again in the spring to complete permanent roadway construction and restoration.
 - Ice Age Trail is detoured to South Main Street to Military Ridge State Trail.
- Tunneling
 - Tunneling/pounding operations are continuing to progress under South Main Street.
 - The interceptor sewer casing and pipe has been completed.
 - Crews will then move to the force main crossing and begin tunneling operations. This will take about a month or so to complete.
 - A mailing was sent to adjacent properties on December 18, 2020.
- Pipe installation
 - Gravity Sewer has been completed south of South Main Street. Crews are currently installing gravity sewer north of South Main Street and working in the Badger Mill Creek horseshoe area. This work is anticipated to last a couple of weeks.
 - Crews will then resume Madison Metropolitan Sewer District (MMSD) Force Main installation.
 1. They will first complete the remaining portion south of South Main Street.
 2. Next, they will complete the segment north of South Main Street through the Badger Mill Creek horseshoe area.
 3. Finally, when the tunneling is completed under Main Street, the force main will be connected to previously placed force main.
 - Dewatering and pipe preparation operations are planned ahead of pipe installations from the Badger Mill Creek horseshoe area to the Lincoln Street Bridge area.
- Dane County work
 - Majority of the work will take place next summer.
- Neighborhood Information Meeting
 - A meeting was held on January 13, 2021 by project staff and was well attended.
 - The presentation and figures are posted on project website.
- Neighborhood Progress Meeting
 - The second neighborhood progress meeting was held on February 17, 2021 by project staff and was attended by fourteen (14) people.
 - The next neighborhood progress meeting will be held March 17, 2021 by project staff.
 - Zoom link for the meeting is on the project website.

Major Design Projects

- Lincoln Street Stormwater Facility Design: The project is currently out to bid with the bid opening scheduled on February 24, 2021. The Public Information Meeting for the project has been scheduled for February 24, 2021 at 5:30 p.m. via Zoom. A mailing was sent out to adjacent property owners the week of February 5, 2021 notifying them of the Public Information Meeting.

A front page “below the fold” article appeared in the February 11, 2021 edition of the Verona Press. The Headline was “Pond of a different ‘magnitude’ ”.

A mandatory Pre-bid meeting was held on February 16, 2021. Representatives from eight different contractors attended the meeting.

- North Main Street Water Main Replacement Design: The project is currently out to bid with the bid opening scheduled on February 24, 2021.

Construction is set to occur in mid-June to mid-August to minimize impacts to VASD operations.

The date of the virtual Public Information Meeting is March 3, 2021. The meeting link is on the project website. Also, as the project nears the start of construction, project staff will engage the Verona Press to release an article on the project.

- Badger Mill Creek Restoration Design: Dave Walker and Theran Jacobson meet virtually with Trout Unlimited on February 4, 2021 to discuss the project and what input and/or assistance that they can provide.

Jacobson had a kickoff meeting with the design consultant on February 8, 2021. Jacobson and the design consultant met with WDNR staff on February 18, 2021 to discuss the project goals, challenges, permit requirements, and what WDNR envisions for the stream that can be incorporated into the design.

Next steps are to take the information from the above meetings and prepare preliminary plans. Once preliminary plans are prepared, staff will post information on a project website. The public will be able to provide comments on the preliminary plans. Updates on this project will be provided at the monthly neighborhood meetings for the interceptor project.

- CTH M / CTH PB Intersection Design: Design consultant has been engaged by project staff to commence with the engineering plans. Field survey has been substantially completed.

In-house Design Projects

- 2021 Asphaltic Street Rehabilitation Project: The 2021 Asphaltic Street Rehabilitation Project will consist of repaving Locust Drive from the 18/151 bridge to Bruce Street and Prairie Heights Drive from Locust Drive to CTH M. The project will include pavement surface mill and overlay, as well as spot replacement of curb and gutter, spot replacement of concrete sidewalk, and spot driveway replacement. The project is currently out to bid with the bid opening scheduled on February 24, 2021.

The date of the Public Information is not set yet but is anticipated to occur in early

April. Also, as the project nears the start of construction, project staff will engage the Verona Press to release an article.

- 2021 Pavement Surface Treatment Project

- The 2021 Pavement Surface Treatment Project will consist of a granite chip seal for the following streets:
 - Maple Road from Basswood Ave to Poplar Way
 - Walnut Street from Mahogany Way to Cross Country Road
 - Poplar Way from Tamarack Way to Walnut Street
 - Spruce Street from Tamarack Way to Maple Road
 - Spruce Circle
 - Birch Court
 - Hickory Court
 - Ash Court
 - Pine Court
 - Cedar Court
 - Tamarack Way from Cross Country Road to Esker Drive
 - Esker Drive
 - Carter Court
 - Kettle Woods Drive
 - Lone Pine Way from Tamarack Way to Hemlock Drive
 - Ashton Drive from Lone Pine Way to Hemlock Drive
 - Drumlin Drive
 - Kettle Court
- The 2021 Pavement Surface Treatment Project will also consist of a polymer deck overlay for all four bridges owned and maintained by the City:
 - Bruce Street bridge over the Badger Mill Creek
 - Old PB bridge over the Badger Mill Creek
 - Stewart's Woods Road bridge over the Dry Tributary
 - Wildcat Way bridge over the Military Ridge State Trail
- The plans and specifications are completed and will be advertised for bids on February 4, 2021 with bid opening of February 24, 2021.

10. Committee Reports:

A. **Finance Committee**

- (1) Discussion and Possible Action Re: Payment of bills. Motion by Kemp, seconded by Posey, to pay the bills in the amount of \$17,448,938.22. Motion carried 8-0.
- (2) Discussion and Possible Action Re: Resolution No. 21-006 approving a Tax Increment District (TID) Affordable Housing Extension

The proposed resolution will extend Tax Incremental District (TID) #6 for Liberty Park Business Park area for 1-year, allowing the City to use the last year of increment to improve the City's housing stock. State Statute requires at least 75% of the final increment to benefit affordable housing with the remaining portion to be used to

improve housing stock. The City does have the ability to use 100% of the funds towards affordable housing if the City chooses to do so in the future.

If the resolution is approved, the life of TID #6 will be extended for 12-months to use the final year's increment collected in 2022 from the 2021 tax roll to benefit affordable housing.

Sayre added that the amount the City would be looking at is approximately 1.6 million dollars. One of the questions from the Finance Committee was what does improve housing stock mean. It means providing grants and loans to existing multi-family buildings for things like paint or new siding. These funds can be used outside of the TIF district such as Sugar Creek/New Century properties as long as it goes toward what is defined in the State Statute

Touchett stated that it does not feel right to take away taxes from the VASD, Madison College and Dane County for it to sit in an account for the City to use for affordable housing in the future. He would prefer that if the City wants to do affordable housing it should be from the City's money.

Sayre stated that other communities have used this provision in the Statute including Waunakee and Fitchburg.

Kemp is supportive of this method to help the City reach the goal of work-force housing using what is allowed in the State Statute.

Reekie asked if the Council votes to keep the TID open, does that extend the City's time to make a plan for the money and if we don't then we close it.

Sayre stated that if we keep this open, the City is telling the State that we are using the funds for affordable housing. This would need to be adopted by April of this year if the City wants to do anything such as affordable housing or building improvements. The money would not be available until 2023. The resolution allows the City to use the money, but doesn't require how it will be spent at this time.

Ryan asked what happens to the funds if they do not approve it.

Sayre explained that Staff would come back with a resolution to close the TID and the residual amount of money will be paid to the City, VASD, Madison College, and Dane County. Sayre explained how a TID is created and works.

Motion by Kemp, seconded by Cronin, to approve Resolution No. 21-006 approving a Tax Increment District (TID) Affordable Housing Extension. On roll call: Alder Cronin – Aye; Alder Jerney – Aye; Alder Touchett – No; Alder Kemp – Aye; Alder Ryan – Aye; Alder Kohl – Aye; Alder Reekie – Aye; Alder Posey – Aye. Motion carried 7-1.

B. Public Safety and Welfare Committee

- (1) Discussion and Possible Action: Ordinance No. 21-973 amending Section 10-1-12 of the Code of Ordinances reducing the speed limit on Whalen Road.

The proposed Ordinance amendment will reduce the speed limit on Whalen Road between Old County Highway PB and Liberty Drive to 25 mph. The speed limit east

of Liberty Drive to a point 1,315 feet east will be will be 35 mph. The speed limit east of the point will be 45 mph. Whalen Road has shared jurisdiction with the Town of Verona. Tentatively, the Town will change the speed limits to match the City's changes on March 2nd.

Motion by Reekie, seconded by Touchett, to approve Ordinance No. 21-973 amending Section 10-1-12 of the Code of Ordinances reducing the speed limit on Whalen Road. Motion carried 8-0.

- (2) Discussion and Possible Action: An application for a combination "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverages license from N+1 Coffee and Beer Bar, LLC, d/b/a N+1 Coffee and Beer, 507 Bruce Street, Suite 101, Verona, WI 53593, Jessica Laufenberg, Agent

N+1 Coffee and Beer Bar, LLC currently carries Class "B" Fermented Malt Beverage and Class "C" Wine licenses. If this application is approved, the Class "C" Wine license will be replaced by a "Class B" Intoxicating Liquor license, which will allow for the service of any intoxicating liquor (vs. wine only). The current licenses will be surrendered to the City before the new licenses will be issued.

Motion by Reekie, seconded by Jerney, to approve a combination "Class B" Intoxicating Liquor and Class "B" Fermented Malt Beverages license from N+1 Coffee and Beer Bar, LLC, d/b/a N+1 Coffee and Beer, 507 Bruce Street, Suite 101, Verona, WI 53593, Jessica Laufenberg, Agent. Motion carried 8-0.

- (3) Discussion and Possible Action: A liquor license premise amendment for N+1 Coffee and Beer Bar located at 507 Bruce Street

The property already has a 16'x 50' concrete patio. The applicant will be adding an enclosed fencing and entry area. The fencing would begin from the left side of the entry door to the café (if looking at the building). There would be a one-way swinging door to enter the fenced patio area. On the opposite end of the fenced patio area (east side) there would be a second one-way swinging door for emergency exit. Video monitoring of the patio area would be set up in four locations. A conditional use permit was approved for the premise area in 2018 and the conditions from the 2018 conditional use permit are included as conditions for the premise amendment. The 2018 conditions were:

1. The outdoor patio fencing shall be a minimum of 48 inches tall.
2. Alcohol consumption shall be limited to the fenced area around the outdoor patio or inside the building. 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 licensees.

Motion by Reekie, seconded by Jerney, to approve a liquor license premise amendment for N+1 Coffee and Beer Bar located at 507 Bruce Street with the above listed conditions. Motion carried 8-0.

C. Public Works/Sewer and Water Committee

(1) Discussion & Possible Action: Change order no. 1 for Project ID 2018-108 Eastside Interceptor Replacement

Change order no. 1 for the eastside interceptor project is for a reduction in work associated with Project B. Project B is all Dane County prepared and financed work. Dane County staff has reviewed and signed the change order per the Intergovernmental Agreement. The City of Verona is the lead on the project and owner of the contract with the contractor.

- Reduction of invasive species removal area within project limits.
- Change in unit price due to density of works zones and level of efforts.

The contract notes are as follows:

- Contract award value = \$7,761,804.60
- Change order No. 1 = (\$31,620.00) (deduct)
- Contract value after incorporating this change order = \$7,730,184.60

Touchett expanded on the above information noting that Dane County reviewed the remaining clearing and that there are opportunities to remove more of the invasive species but not as dramatically.

Motion by Touchett, seconded by Ryan, to approve change order no. 1 for Project ID 2018-108 Eastside Interceptor Replacement. Motion carried 8-0.

(2) Discussion & Possible Action: Change order no. 2 for Project ID 2018-108 Eastside Interceptor Replacement

Change order no. 2 for the eastside interceptor project is for addition work required to facilitate construction of the sanitary sewers in Bruce Street, re-mobilization for clearing operations, and additional erosion control best management practices to be used throughout construction.

Work changes are noted as follows:

- Window an existing 12-inch water main over the proposed force main, water main was deeper than anticipated based upon records in this area. Work also included adding a 12-inch valve.
- Replace a 34 inch x 53 inch storm sewer apron endwall, the existing endwall was cracked. This was a material costs only.
- Added additional erosion control measure to be used in the field above anticipated plan erosion control measures included with the bid. This provides field staff more resources to be used in the field to fit site conditions.
- Re-mobilization and de-mobilization of clearing and grubbing equipment for the land just north of S. Main Street that was not acquired until January 2021.

The contract notes are as follows:

- Contract award value = \$7,761,804.60
- Previous change orders = \$31,620.00 (deduct)
- Change order No. 2 = \$37,925.00 (add)
- Contract value after incorporating this change order = \$7,768,109.60

Motion by Touchett, seconded by Kemp, to approve change order no. 2 for Project ID 2018-108 Eastside Interceptor Replacement. Motion carried 8-0.

(3) Discussion & Possible Action: Resolution R-21-007, Accepting Public Improvements adjacent to Verona Area High School

The public improvements have been substantially completed as of September 24, 2020. Punch list items have been addressed and staff recommends the City of Verona accept the newly constructed portions of the listed streets and/or intersections below and the associated water main and storm water infrastructure. Public Improvement locations:

1. Stewart's Woods Road (and bridge)
2. Wildcat Way (and bridge)
3. West Verona Avenue (between West End Circle and Nine Mound)
4. Westridge Parkway sidewalk
5. South Nine Mound (between West Verona Avenue and Stewart's Woods Road)
6. West End Circle (between Wall Street and Wildcat Way)
7. Wall Street
8. Intersection improvements, traffic signals, and lighting at intersection of West Verona Avenue and West End Circle
9. Intersection improvements, traffic signals, and lighting at intersection of West Verona Avenue and Nine Mound Road
10. Intersection improvements at intersection of Sout Nine Mound Road and Legion Street
11. Intersection improvements at intersection of South Nine Mound Road and Paoli Street

Motion by Touchett, seconded by Ryan, to approve Resolution R-21-007, Accepting Public Improvements adjacent to Verona Area High School. Motion carried 8-0.

D. Sustainability Task Force

(1) Discussion and Possible Action: Resolution No. 21-008 establishing a City designee to comment on dockets before the Public Service Commission of Wisconsin

The proposed resolution would allow the Mayor to comment on dockets before the Public Service Commission of Wisconsin (PSC). This will allow comments to be submitted to the PSC without calling special meetings for the Common Council to discuss the City's position on dockets before the PSC. By approving the resolution, the Mayor can file public comments on behalf of the City in support of renewable energy projects and other dockets before the PSC that further the goals of the 2019 Sustainability resolution.

The Sustainability Task Force discussed the resolution on February 15, 2021 and voted 5-0 to recommend approval.

Touchett stated that he feels this is taking away the Council's opportunity to voice their opinions and is not comfortable with it. He is amenable to the idea of efficiently responding to the PSC. He would be more comfortable with it if there was an end time to the appointment.

Sayre stated that the intent is to give the Mayor discretion to comment based on City's goals. There was a concern at the Task Force if the Mayor does not follow those goals in comments back to the PSC.

Ryan stated that he does not see an issue and feels the Mayor will do a good job and that the risk is pretty minimal.

Diaz agrees that could be a sunset or term for who is commenting.

Cronin would like confirmation about Councilmembers not putting items on the agenda.

Jerney would like to see something added to the resolution that the Mayor has to come back to the Council to present on what the Mayor commented.

Posey asked for clarification that the resolution states one person is designated, which is not necessarily the Mayor.

Touchett suggested a similar idea as the committee appointments that are reviewed annually.

Motion by Ryan, seconded by Kemp, to approve Resolution No. 21-008 establishing a City designee to comment on dockets before the Public Service Commission of Wisconsin.

Motion by Touchett, seconded by Cronin, to amend the original motion on Resolution No. 21-008 to have a person representing the City to be reappointed at the Council Organizational Meeting each year. Motion carried 8-0.

Sayre stated that a line item would be added to the resolution to meet the intent of the above motion. The Mayor will be the designee for this year and a person will be appointed at the next Council Organizational Meeting.

Motion by Ryan, seconded by Kemp, to approve Resolution No. 21-008 establishing a City designee to comment on dockets before the Public Service Commission of Wisconsin as amended.

11. Adjournment:

Motion by Touchett, seconded by Reekie, to adjourn at 8:36 p.m. Motion carried 8-0.

Kayla Martin
Deputy City Clerk