

CITY OF VERONA
COMMON COUNCIL
MINUTES
March 13, 2023

1. Call to order: Diaz called the meeting at 7:00 p.m.
2. Pledge of Allegiance
3. Roll Call: Kate Cronin, Mara Helmke, Christine Posey, Heather Reekie, Phil Hoechst, Chad Kemp, and Evan Touchett and Rye Kimmitt were present Also present City Administrator Adam Sayre, City Clerk Holly Licht, Public Works Director Theran Jacobson, City Attorney Bryan Kleinmaier, and City Engineer Carla Fischer
4. Public Comments
 - Beth Foss, 384 Breckenridge Rd., stated that she is in favor of the rezoning of 411 Prairie Heights Drive. She stated we should not punish the applicant for the current traffic problems. She stated that the rezoning would allow most of the current tenants to remain in the building. She stated adding the school does not compound the traffic issues.
 - Brian Paull, 410 New Age Cir. Apt. 224, president of the Meridian Condos, stated he doesn't see anything different in this proposal. He stated that 260 kids will generate too much traffic.
 - Dorothy Wahner, 405 New Age Way, stated she is concerned about traffic and seniors living across the street. She wants to know what has changed.
 - Todd Schilling, 409 New Age Cir., said that the zoning change will impact the future use of the VAC. He said that the investors have changed their business plan significantly.
 - Duane Yahn, 410 New Age Cir. Apt. 302, wants to know if it is president that the City Council reconsiders votes. He asked if the City would be willing to change the speed limit and limit parking to one side of the street.
 - Jim Wahner, 405 New Age Way, stated that he opposes the zoning change at 411 Prairie Heights Drive. He stated that the parking and traffic during tournaments is busy, and it is impossible for any of the residents to park on the street.
 - Dennis Penshorn, 410 New Age Cir. Apt. 318, stated that he drove into the parking lot yesterday and said that at least 35 spots are reserved for handicapped parking and specific businesses.
 - Diane Mauer, New Age Cir., asked how this could be reconsidered. She is concerned about the increase in traffic.
5. Approval of Minutes from the February 13, 2023 Common Council meeting
Motion by Reekie, seconded by Touchett to approve the February 13, 2023 Common Council meeting. Motion carried 8-0.
6. Mayor's Business
7. Announcements
8. Administrator's Report: Adam Sayre presented the Administrator's Report, and it was entered into record.
9. Engineer's Report: Carla Fischer presented the Engineer's Report, and it was entered into the record.
10. Committee Reports
 - A. Finance Committee**

- (1) Discussion and Possible Action Re: Payment of bills
Motion by Kemp, seconded by Helmke to pay the bills in the amount of \$17,248,942.03.
Motion carried 8-0.

B. Plan Commission

- (1) Discussion and Possible Action Re: Ordinance No. 23-1021 annexing 5.54 acres of land located at 6878 and 6880 County Highway M
Motion by Posey, seconded by Kemp to approve Ordinance No. 23-1021 annexing 5.54 acres of land located at 6878 and 6880 County Highway M with the condition that the annexation become effective upon execution of an annexation agreement. Motion carried 8-0.
- (2) Discussion and Possible Action Re: Resolution No. R-23- 010 approving a certified survey map (CSM) to create one (1) lot out of two (2) lots located at 6878 and 6880 County Highway M
Motion by Posey, seconded by Kimmett to approve Resolution No. R-23- 010 approving a certified survey map (CSM) to create one (1) lot out of two (2) lots located at 6878 and 6880 County Highway M with the condition that the CSM become effective upon execution of an annexation agreement. Motion carried 8-0.

C. Public Works/Sewer & Water Committee

- (1) Discussion and Possible Action Re: Awarding Project 2023-101, Verona Asphaltic Street Rehabilitation Project
Motion by Touchett, seconded by Helmke to award Project 2023-101, Verona Asphaltic Street Rehabilitation Project with the amount not to exceed \$373,560. Motion carried 8-0.
- (2) Discussion and Possible Action Re: Offer to purchase for lands necessary on Parcel 1 for Transportation Project Plat 286-2022-113 under Project ID 2022-113, 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 Helmke to approve an offer to purchase for lands necessary on Parcel 1 for Transportation Project Plat 286-2022-113 under Project ID 2022-113, CTH PD. Motion carried 8-0.
- (3) Discussion and Possible Action Re: Offer to purchase for lands necessary on Parcel 3 for Transportation Project Plat 286-2022-119 under Project ID 2022-119, 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 Helmke to approve an offer to purchase for lands necessary on Parcel 3 for Transportation Project Plat 286-2022-119 under Project ID 2022-119, CTH PD. Motion carried 8-0.

11. New Business

- A. Discussion and Possible Acton Re: Reconsideration of Ordinance No. 23-1018 approving a zoning map amendment for 411 Prairie Heights Drive from Suburban Commercial (SC) to Public Institutional (PI)

Kleinmaier stated that the changes in ordinance include the conditions. Sayre added that the Public Safety Committee discussed limiting parking near the driveways. Touchett asked how the zoning conditions were enforceable. He stated that he didn't think it was fair to impose operating hours on the school. Kimmitt stated she is not in favor due to the traffic. Kemp stated that if we don't approve the zoning change, any business would be able to go into the space. He added that he appreciates the school coming back and making changes. Hoechst stated that he can now support the ordinance with the conditions and with more information. He added that the City is in the process of improving the street parking. Kimmitt asked if the City would be able to adjust the speed on CTH M. Sayre stated that the County is requiring that the City does a speed study. He also added that with the annexation of the Western Investments property, there will be a bypass/turn lane. Motion by Helmke, seconded by Kemp to approve ordinance No. 23-1018 approving a zoning map amendment for 411 Prairie Heights Drive from Suburban Commercial (SC) to Public Institutional (PI). Motion carried 6-2 with Kimmitt and Touchett voting "no".

- B. Discussion and Possible Acton Re: Annexation agreement with Western Investment Properties located at 6878 and 6880 County Highway M

Motion by Posey, seconded by Hoechst to approve the Annexation agreement with Western Investment Properties located at 6878 and 6880 County Highway M subject to final review by the City Administrator and City Attorney. Motion carried 8-0.

- C. Discussion and Possible Acton Re: Memorandum of Understanding (MOU) between the City and the Verona Professional Police Association and Wisconsin Professional Police Association/Leer

Motion by Cronin, seconded by Kemp to approve a Memorandum of Understanding (MOU) between the City and the Verona Professional Police Association and Wisconsin Professional Police Association/Leer. Motion carried 8-0.

- D. Discussion and Possible Action Re: Request from Forward Development Group related to the Public Improvements Development Agreement and the TIF Agreement for the Sugar Creek Commons project in Tax Incremental District #9

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 investing of public funds or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. The Common Council may reconvene in open session and take action on the closed session item.

Dan O'Callaghan, Forward Development Group, stated the hotel is no longer a viable option. He stated that the increment generated from the mixed-use portion of the project will be enough to pay back TID 9. Kemp asked if the council approved this request, what would FDG build on the vacant property. O'Callaghan stated that it would be primarily residential. Posey asked why the hotel wasn't viable. He stated construction costs, rising interest rates, and costs to operate a hotel and event center. Kimmitt asked what the current lease rate for the completed part of the project was. He stated that over 80% of the residential units are leased and 50% of the commercial space is leased. Kemp stated that he is concerned about more apartments on that space and the empty retail space. Diaz stated that he is concerned that the TIF agreement was not met, and he would not support an amended agreement. He is not concerned about hotel vs. apartments.

Motion by Kemp, seconded by seconded by Touchett to go into closed session at 8:37 p.m. *as authorized by Wisconsin Statute 19.85(1)(e), for the purpose of deliberating or negotiating the investing of public funds or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. The Common Council may reconvene in open session and take action on the closed session item.* Motion carried on roll call vote 8-0.

CLOSED SESSION

The council reconvened at 9:38 p.m.

- E. Discussion and Possible Acton Re: Mediation and potential litigation with the Town of Verona
The Common Council may convene in closed session as authorized by Wisconsin Statute 19.85(1)(g) for the purpose of conferring with legal counsel for the City who is rendering oral advice concerning strategy to be adopted by the City with respect to litigation in which it is or is likely to become involved. The Common Council may reconvene in open session to discuss and take action on the subject matter discussed in the closed session.

Motion by Posey, seconded by Kemp to go into closed session at 8:37 p.m.as authorized by Wisconsin Statute 19.85(1)(g) for the purpose of conferring with legal counsel for the City who is rendering oral advice concerning strategy to be adopted by the City with respect to litigation in which it is or is likely to become involved. The Common Council may reconvene in open session to discuss and take action on the subject matter discussed in the closed session. Motion carried on roll call vote 8-0.

CLOSED SESSION

The council reconvened at 9:38 p.m.

- F. Discussion and Possible Acton Re: City Administrator employment agreement
The Common Council may convene in a closed session for discussion and possible action regarding a City Administrator Employment Agreement as authorized by Section 19.85(1)(c) of the Wisconsin Statutes to consider employment, promotion, compensation or performance evaluation data of any public employee subject to the jurisdiction or authority of the City of Verona. The Common Council may reconvene in open session to discuss and take action on the subject matter discussed in the closed session.

Motion by Cronin, seconded by Kimmett to go into closed session at 8:37 p.m. as authorized by Section 19.85(1)(c) of the Wisconsin Statutes to consider employment, promotion, compensation or performance evaluation data of any public employee subject to the jurisdiction or authority of the City of Verona. The Common Council may reconvene in open session to discuss and take action on the subject matter discussed in the closed session at 8:37 p.m. Motion carried 8-0 on roll call vote.

CLOSED SESSION

The council reconvened at 9:38 p.m.

Motion by Posey, seconded by Kemp to approve the City Administrator employment agreement between the City and Jamie Aulik. Motion carried 8-0.

- G. Discussion and Possible Action Re: Amended transition agreement with Adam Sayre
The Common Council may convene in a closed session for discussion and possible action regarding an amended transition agreement with Adam Sayre as authorized by Section 19.85(1)(c) of the Wisconsin Statutes to consider employment, promotion, compensation or performance evaluation data of any public employee subject to the jurisdiction or authority of the City of Verona. The Common Council may reconvene in open session to discuss and take action on the subject matter discussed in the closed session.

Motion by Cronin, seconded by Kimmett to go into closed session at 8:37 p.m. as authorized by Section 19.85(1)(c) of the Wisconsin Statutes to consider employment, promotion, compensation or performance evaluation data of any public employee subject to the jurisdiction or authority of the City of Verona. The Common Council may reconvene in open session to discuss and take action on the subject matter discussed in the closed session. Motion carried 8-0 on roll call vote.

CLOSED SESSION

The council reconvened at 9:39 p.m.

Motion Kemp, seconded by Touchett to approve an amended transition agreement with Adam Sayre. Motion carried 8-0.

12. Adjournment: Motion by Touchett, seconded by Helmke to adjourn at 9:40 p.m. Motion carried 8-0.

Respectfully Submitted,

Holly Licht, City Clerk