

**CITY OF VERONA**  
**MINUTES**  
**COMMON COUNCIL**  
**April 12, 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 7:03 p.m.
2. Pledge of Allegiance
3. Roll call: Alderpersons Kate Cronin, Charlie Ryan, Christine Posey, Evan Touchett, Charlotte Jerney, Katie Kohl, and Heather Reekie were present. Also present: City Administrator Adam Sayre and City Engineer Carla Fischer.
4. Public Comment: None
5. Approval of minutes from the March 8, 2021 Common Council meeting.  
Motion by Kohl, seconded by Touchett, to approve the minutes of the March 8, 2021 Common Council meeting with the correction. Motion carried 7-0.
6. Mayor's Business: Diaz thanked Alder Jerney for her service on the Council.
7. Announcements: Reekie thanked Alder Jerney for her time on the Council as Reekie served with her on several Committees.
8. Administrator's Report:
  - Sustainability Task Force meeting will be held on Wednesday, April 14<sup>th</sup> at 7:00 p.m.
  - Personnel Committee meeting will be on Thursday, April 15<sup>th</sup> at 5:30 p.m. in the Council Chambers.
  - Tourism Commission meeting will be on Tuesday, April 20<sup>th</sup> at 2:00 p.m.
  - Council Organizational meeting will be on Tuesday, April 20<sup>th</sup> at 6:00 p.m.
  - There are three Board of Review meetings:
    - The short meeting for the Board of Review will be on May 10<sup>th</sup> at 6:30 p.m. on Zoom.
    - Open Book – June 1<sup>st</sup> – 3:00 p.m. to 5:00 p.m. by phone or Zoom appointment.
    - The long Board of Review meeting will be on – June 16<sup>th</sup> at 6:00 p.m. and has to go for a minimum of two (2) hours on Zoom.
  - An election was held on April 6<sup>th</sup>. A total of 2,811 people voted in the City of which 1,220 people voted absentee and 1,576 voted in-person at the polls. The City still

has a lot of people voting absentee.

- Phase 1 of the Library reopening will begin on April 12<sup>th</sup>. The first phase will have limited hours, which are listed in the Administrator's Report. Curbside pick-up will continue and listed in the report. There will be limited browsing and no seating available for work or study.
- As part of the Federal American Rescue Plan (i.e. the Federal Government), the City will receive approximately \$1.3 million from the Federal government. Staff is still looking into how those funds can be spent and waiting for guidance from the Federal Government. Staff met with the Finance Committee this evening to inform them of what is known. Once additional information is known, Staff will forward that information along to have more discussions.
- Last Thursday, April 8<sup>th</sup>, the City had the last arbitration hearing with the Fire Union. The City anticipates a ruling from the arbitrator in July or August. Once a ruling is provided, Staff will update the Council.
- The Plan Commission held a public hearing on April 7, 2021 and discussed the draft Zoning and Sign Code. The Plan Commission took no action and is planning on holding the comment period open until the next Plan Commission meeting. Staff is hopefully optimistic that the next Plan Commission meeting in May will make a recommendation to the Common Council.

#### 9. Engineer's Report:

##### Eastside Interceptor

- Traffic Control
  - Bruce Street is currently open to traffic.
  - Bruce Street will be closed again at the end of April beginning of May to complete permanent roadway construction and restoration.
  - Ice Age Trail is still detoured to South Main Street to Military Ridge State Trail.
  - Lincoln Street bridge and path between Lincoln Street cul-de-sac and Hillcrest Drive will be closed for approximately one month beginning the week of April 19<sup>th</sup>. The path will be temporarily opened once pipe placement is complete with final path paving planned for later in the project. EASD has been notified and Staff has been providing updates to them as necessary.
- Tunneling
  - All Tunneling operations are complete.
- Pipe installation
  - Crews are continuing to install gravity sewer and MMSD force main to the east of the Badger Mill Creek horseshoe area (South Main Street) to the Lincoln Street bridge. Crews anticipate reaching the Lincoln Street bridge by the middle to end of April. See Figure 1 for pipe placement operations moving east towards Lincoln Street bridge.
  - Dewatering has been set up to the Lincoln Street channel area.
  - Materials (pipe and bedding stone) are being staged along the entire project

from South Main Street to the end of the project just east of Arbor Vitae Place.

- Site Restoration
  - Crews are currently removing the Badger Mill Creek bypass and restoring the creek to the original location in the oxbow area just east of South Main Street.
  - Crews have begun drying, spreading, and grading topsoil from Bruce Street to the Badger Mill Creek double creek crossing area.
  - Seed restoration is planned to begin later in April depending on weather.
  - Bruce Street permanent curb and gutter and pavement and Melody Circle pavement patching are planned to occur within the next month or so.
- Dane County Work
  - Majority of the work will take place this summer (2021).
- Neighborhood Progress Meeting
  - The second neighborhood progress meeting was held on March 17, 2021 by project staff and was well attended.
  - The next neighborhood progress meeting will be held April 21, 2021 by project staff.
  - Zoom link for the meeting is on the project website.

#### Major Design Projects

- Lincoln Street Stormwater Facility Design: The construction contracts have been executed. Construction is commencing. Field staking started on April 7<sup>th</sup>.
- North Main Street Water Main Replacement Design: Construction is set to occur in mid-June to mid-August to minimize impacts to VASD operations. As the project nears construction, project staff will engage the Verona Press to release a notification that construction is starting.
- Badger Mill Creek Restoration Design: Preliminary plans are complete, and the instream permit application has been submitted to the WDNR. A WDNR Chapter 30 permit application is required to be submitted, but the WDNR has advised the City to wait to submit this permit application in mid to late April because WDNR is expecting a streamlined permit for government agencies to be approved prior to then.

A project website has been created. The public was notified on April 1<sup>st</sup> of the website. Updates on this project will be provided at the monthly neighborhood meetings for the interceptor project.

- CTH M / CTH PB Intersection Design: Adjacent WisDOT project was delayed due to a scope review on their end which may add scope to this project; we are awaiting final confirmation from WisDOT. 60% plans are currently under development with an anticipated submittal date of late-May.
- The 2021 Asphaltic Street Rehabilitation Project: A Public Information meeting has been scheduled for April 14<sup>th</sup>. The contractor is anticipating starting the work in early May. As the project nears construction,

project staff will engage the Verona Press to release a notification that construction is starting.

- 2021 Pavement Surface Treatment Project: The contractor estimates a start date of early.
- 2021 Concrete Street Rehabilitation Project:  
The date of the Public Information is not set yet but is anticipated to occur in early May.
- 2021 Pavement Marking Project: The contractor will perform the work when weather conditions allow and associated projects are completed.
- 2021 Stormwater Basin Vegetation Burns: The vegetation burns on seven storm water detention basin burns were completed on April 5<sup>th</sup> and 6<sup>th</sup>.
- 2021 Stormwater Basin Treatments: Plans are being finalized for the alum treatment of three stormwater detention basins in the City. The basins to be treated are:
  - Silent Street (across from the Library)
  - Meister Addition West (east of Northern Lights Road)
  - Verona Technology Park (near Wisconsin Brewing Company)

The Silent Street and Meister Addition West detention basins were dredged in the last few years, and the purpose of the alum treatment is to improve the water quality component of these basins. The Verona Technology Park basin was treated previously with a slightly different treatment and will be given a follow-up alum treatment at the same time. This is a developing water quality strategy. A live virtual presentation is currently being scheduled for late April through the Verona Library, and a recorded version will be available. Notices will be sent to the surrounding property owners to inform them of the work in a similar manner as was done for the basin burn work.

Alder Kemp joined the meeting at 7:14 p.m.

Cronin asked if the closures regarding the Lincoln Street bridge and path should be published.

Fischer will convey this information to Theran Jacobson that this closure should be posted on the website, on the actual sign, and on Facebook.

## 10. Committee Reports:

### A. Finance Committee

- (1) Discussion and Possible Action Re: Payment of bills. Motion by Cronin, seconded by Posey, to pay the bills in the amount of \$2,650,763.99. Motion carried 8-0.
- (2) Discussion and Possible Action Re: Resolution No. 21-018 Authorizing the Issuance and Sale of \$4,080,000 General Obligation Promissory Notes, Series 2021A  
Cronin pointed out the correction of the amount is now \$3,840,000.

The \$1,600,000 will be for stormwater management and the remainder is for the refinancing of existing debt.

Motion by Cronin, seconded by Kemp, to approve Resolution No. 21-018 authorizing the issuance and sale of \$3,840,000 General Obligation Promissory Notes, Series 2021A. Motion carried 8-0.

## **B. Plan Commission**

- (1) Discussion and Possible Action: Resolution No. 21-019 approving a conditional use permit (CUP) amendment to the Epic Systems Corporation “group development” to allow for the construction of one (1) office building to be located at 1979 Milky Way

The Plan Commission held the required public hearing on April 7, 2021 and discussed the project. The Plan Commission voted 5-0 to recommend the Common Council approve the CUP. Powers abstained as this is his employer.

Motion by Kohl, seconded by Jerney, to approve Resolution No. 21-019 approving a conditional use permit (CUP) amendment to the Epic Systems Corporation “group development” to allow for the construction of one (1) office building to be located at 1979 Milky Way. Motion carried 8-0.

- (2) Discussion and Possible Action: Resolution No. 21-020 approving Precise implementation plan (PIP) for a planned unit development (PUD) that would allow for the construction of two (2) apartment buildings with a total of forty-eight (48)-units located on Lot 2, Prairie Oaks Drive, east of the Goddard School

The Plan Commission held the required public hearing on April 7, 2021 and discussed the project. The Plan Commission voted 6-0 to recommend the Common Council approve the PIP for Prairie Oaks, Lot 2 for two apartment buildings with the condition that the development shall include only trees that are native to Wisconsin.

Jerney is glad that the developer listed to Council’s recommendation and will use indigenous trees to plant. This will be a good role model for the future.

Motion by Kohl, seconded by Kemp, to approve Resolution No. 21-020 approving Precise implementation plan (PIP) for a planned unit development (PUD) that would allow for the construction of two (2) apartment buildings with a total of forty-eight (48)-units located on Lot 2, Prairie Oaks Drive, east of the Goddard School with a condition that the development shall only include trees that are native to Wisconsin. Motion carried 7-1. Touchett voted no.

## **C. Public Safety**

- (1) Discussion & Possible Action: Special Event Permit application from Stacey Burkart, Verona Public Library, for the Word on the Street 5K Run/Walk and Kid’s Run on Saturday, May 1, 2021

This is the fifth year for this event. This fundraising event for the Verona Public Library will occur from 8 a.m. – 12 p.m. on May 1<sup>st</sup>. The route begins and ends at the Library. Participants will cross East Verona Avenue at Franklin Street and Lincoln Street. An officer will be staffed at the Franklin Street crossing location. Sidewalk

chalk will be used for pavement markings.

Motion by Reekie, seconded by Touchett, to approve Special Event Permit application from Stacey Burkart, Verona Public Library, for the Word on the Street 5K Run/Walk and Kid's Run on Saturday, May 1, 2021. Motion carried 8-0.

- (2) Discussion & Possible Action: Special Event Permit application from Lauren Birkel, Glacier Edge PTO, for the Glacier Edge PTO Color Run on Wednesday, May 26, 2021

This is the fourth year for this event, which is a fundraiser for the Glacier Edge Elementary School. The event will run from 4 p.m. – 7:30 p.m. The one-mile route begins and ends at the Glacier Edge playground. There will be color stations along the course at Tower Park and Tollefson Park. The run will take place on the sidewalks. Approval of this event will be contingent upon approval by the Parks, Recreation, and Forestry Commission

Motion by Reekie, seconded by Touchett, to approve Special Event Permit application from Lauren Birkel, Glacier Edge PTO, for the Glacier Edge PTO Color Run on Wednesday, May 26, 2021 with two contingencies of updated insurance proof as well as records check. Motion carried 8-0.

- (3) Discussion & Possible Action: Liquor license premise amendment for Hop Haus Brewing Company located at 231 South Main Street

Phil Hoechst has applied for a premises description amendment for the liquor license of the Hop Haus Brewing Company, LLC to include the business's front parking lot. In March of 2021, the Common Council approved a permanent outdoor seating area for the Hop Haus. This outdoor area will allow the Hop Haus to serve more customers, while adhering to required social distancing guidelines.

Motion by Reekie, seconded by Kemp, to approve liquor license premise amendment for Hop Haus Brewing Company located at 231 South Main Street. Motion carried 8-0.

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

- (1) Discussion and Possible Action: Professional services agreement with AECOM for project ID 2021-107, 2021 storm water services

This Consulting Services Agreement is to perform the following tasks:

- Storm Water Permit Administration
- Perform dry weather monitoring, investigation, and reporting
- Update erosion control and storm water management ordinances
- Prepare Storm Water Pollution Prevention Plans for municipal facilities

Motion by Touchett, seconded by Kemp, to approve professional services agreement with AECOM for project ID 2021-107, 2021 storm water services not to exceed \$17,835. Motion carried 8-0.

- (2) Discussion and Possible Action: Professional services agreement for construction

related services with AECOM for project ID 2018-114 Lincoln Street storm water management facility

This Consulting Services Agreement with AECOM is for the following services during construction for the Lincoln Street stormwater management facility:

- Attendance at progress meetings as needed
- Field visits as needed
- Product and shop drawing review
- Respond to requests for information of their design documents

Motion by Touchett, seconded by Reekie, to approve professional services agreement for construction related services with AECOM for project ID 2018-114 Lincoln Street storm water management facility not to exceed \$28,690. Motion carried 8-0.

(3) Discussion and Possible Action: Amendment no. 2 with Brown and Caldwell for project ID 2018-114 Lincoln Street storm water management facility

This Consulting Services Agreement with Brown and Caldwell is for the following services:

- Lead consultant for the Construction related services
- Administration of progress meetings
- Field visits as needed
- Product and shop drawing review
- Preparation of change orders as needed
- Respond to requests for information of their design documents

Amendment No. 2 also includes previously completed services to finalize the design and obtain the permits which was not included in the previously approved scope of work:

- Attend additional meetings
- Additional design per WDNR review of permit applications
- Preparation and presentation of the public information meeting materials

The construction inspection will be completed by City Staff. The contract value is list the total not to exceed value with this amendment of \$46,993 and the total amount of \$191,263.

Motion by Touchett, seconded by Ryan, to approve amendment no. 2 with Brown and Caldwell for project ID 2018-114 Lincoln Street storm water management facility no to exceed \$191,263. Motion carried 8-0.

(4) Discussion and Possible Action: Storm Water Maintenance Agreement with Epic Systems Corporation

This agreement with Epic is to replace previously executed storm water maintenance agreements. The Agreement to Maintain Storm Water Facilities and Amendment No. 1 Agreement to Maintain Storm Water Facilities were executed in

April 2003 and March of 2005, respectively. The maintenance activities included in the proposed agreement are consistent with today's standards and requirements. City Attorney and Administrator have reviewed the agreement and have no concerns.

Motion by Touchett, seconded by Ryan, to approve the Storm Water Maintenance Agreement with Epic Systems Corporation. Motion carried 8-0.

## 11. New Business

- A. Discussion and Possible Action Re: Side letter agreement between the City of Verona Police Department and the Wisconsin Professional Police Association, Leer Division, for utilization of sick leave increments

The proposed agreement with the Wisconsin Professional Police Association, Leer Division, will allow Police Union employees to use sick leave in minimum one-half hour increments. The current collective bargaining agreement requires Police Union employees to use increments rounded to the nearest hour. The Wisconsin Professional Police Association, Leer Division, has approved the proposed side letter agreement.

Staff recommends the Common Council approve the side letter agreement between the City of Verona Police Department and the Wisconsin Professional Police Association, Leer Division, for utilization of sick leave increments.

Jerney asked the reasoning behind the nearest half hour is so that they would not be penalized.

Sayre replied that by contract the City has to round to the nearest hour and Staff determined this was unreasonable to round to the nearest hour.

Motion by Jerney, seconded by Cronin, to approve a side letter agreement between the City of Verona Police Department and the Wisconsin Professional Police Association, Leer Division, for utilization of sick leave increments. Motion carried 8-0.

- B. Discussion and Possible Action Re: Developer's agreement for Kettle Creek North Phase 4 public improvements

City Staff and City Attorney have worked with the developer for Kettle Creek North subdivision in preparation of the Developer Agreement. The agreement anticipates that construction of the public improvements to serve the phase will commence in late April of 2021 and will be substantially completed on or about November 1, 2021, pending permit approvals. Phase 4 will include 25 lots.

Staff recommends the Common Council approve the Developer's agreement for Phase 4 of the Kettle Creek North Subdivision.

Motion by Jerney, seconded by Kemp, to approve a developer's agreement for Kettle Creek North Phase 4 public improvements. Motion carried 8-0.

- C. Discussion and Possible Action Re: Public improvements agreement and stormwater

improvements agreement for the construction of Morningside Boulevard.

The proposed agreements will allow for the construction of Morningside Boulevard located west of County Highway "M" and part of the future Whispering Coves development in the North Neighborhood. If approved, the agreement will allow Morningside Boulevard, LLC to construct this east/west road that will serve multiple properties.

City Staff and the City Attorney have reviewed the proposed agreements and have no concerns. Staff recommends the Common Council approve the public improvements agreement and stormwater improvements agreement for the construction of Morningside Boulevard, subject to final review and approval by the City Administrator and City Attorney.

Motion by Jerney, seconded by Ryan, to approve a public improvements agreement and stormwater improvements agreement for the construction of Morningside Boulevard subject to final review and approval by the City Administrator and the City Attorney. Motion carried 8-0.

Diaz asked the status of the Whispering Coves subdivision.

Sayre replied that a revised concept is going to the Plan Commission on May 3<sup>rd</sup>.

D. Discussion and Possible Action Re: Resuming in-person or hybrid meetings

City Staff is requesting direction from the Common Council as to when and as to how to proceed with in-person or hybrid meetings. We have purchased for the Council Chambers to allow for hybrid meetings. This will be installed on May 17<sup>th</sup> and tested on May 21<sup>st</sup>. Pending everything works, the City could have hybrid meetings in June. The City Attorney is working on a possible Ordinance amendment to address virtual/hybrid meetings.

From a Staffing stand point, every City employee has had the opportunity to have or obtain the COVID vaccination shot. Stacy Burkhart from the Library coordinated this effort and Staff is grateful for her coordinating it.

Staff is requesting feedback and direction from the Common Council.

Cronin is curious how the testing for the hybrid meeting format will work as the Library Board attempted this as it was difficult to hear and see who had questions. She would prefer all virtual or all in person meetings not a hybrid.

Reekie stated many school districts are doing a hybrid model virtually and to lead the hybrid meetings is difficult. It could be difficult for the Mayor to conduct a hybrid meeting. Since we are getting the equipment, if people are absent for health reasons or absent because they could not typically attend the meeting, it would be nice to have the option to hold a meeting instead of cancelling due to quorum. The preference would be doing either in person or hybrid, but not both unless it is needed for a quorum.

Ryan would prefer the hybrid model as his profession requires him to be out of state and it would be difficult to otherwise attend the meetings.

Diaz believes a hybrid meeting would be challenging and could slow the meeting down as he is concerned that people would not be seen. There is an advantage to allow people in the City of Verona to testify virtually, but he would like to have rules for testimony to solely allow City of Verona people to testify instead of someone in Nebraska.

Kemp thinks the City should try the hybrid option as the equipment is being installed or in Ryan's case that is it needed.

Touchett is inclined to go all in or all out. He is willing to attend in person meetings this summer, but the virtual option is very convenient as work ends and he can instantly attend the meeting. He believes it is important to meet in person and would like to do it safely.

Kohl wants to get back to in person meetings. Virtually is a nice option for people to have to testify at home, but as meeting regularly, it should be either one or the other or not both.

Posey believes virtually is a good tool and option, but in person meetings is the best course of action. Virtually should not be the priority for meeting.

Reekie asked if there would be a mask requirement if we did in person now and would we be allowed to know what percentage of herd immunity has been achieved ahead of the meeting. For the people in the room, unless you are connected with the Zoom members in the room, the members would have to repeat what is said to ensure everyone can hear what occurs. This could be a legality concern.

Sayre stated that the City would follow whatever Dane County mask requirements are in place at that time. Regarding the technology in the Council Chambers, the City is using the same company who installed the existing equipment and upgraded the existing equipment. Staff is optimistic that it will work better than the school's system. The system will be tested before ever scheduling an in person meeting.

Touchett volunteered to help and break technology of the system.

Diaz verified that the intent is to broadcast through the technology and microphones so it would not require the Mayor to summarize what are being said, which was confirmed by Staff.

## 12. Adjournment:

Motion by Touchett, seconded by Reekie, to adjourn at 7:57 p.m. Motion carried 8-0.

Katherine Holt  
Community Development Specialist