

**CITY OF VERONA**  
**MINUTES**  
**COMMON COUNCIL**  
**January 8, 2018**  
**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, Sarah Gaskell, Jack Linder, Heather Reekie, Brad Stiner and Evan Touchett present. Also present: City Administrator Jeff Mikorski, City Planning and Development Director Adam Sayre, Community Development Specialist Katherine Holt, City Attorney Bryan Kleinmaier, Public Works Director Theran Jacobson, City Engineer Jeff Montpas, Project Architect Brian Stoddard, and City Clerk Ellen Clark.
4. Public Comment:
  - Sylvia Novak, 110 Lincoln spoke in opposition of the 102/104 Lincoln Street apartment development project. Traffic on Lincoln Street has increased dramatically in the last several years. She is concerned about the change from the Hometown feel to a city metropolis in this area. Neighbors are feeling that a multi-family unit will bring a great deal of traffic to the neighborhood.
  - Mike Hankard, 100 Park Ave., Verona, spoke in favor of the 102/104 Lincoln Street apartment development project, as long as the development consists of only one building, with no more than 90 units. The developers have made several good changes to the plan. Email exchange said that any future development would be a long time out.
  - Joyce Freisinger, 265 S. Franklin Street, Verona, spoke in opposition of the 102/104 Lincoln Street apartment development project. She is concerned about the safety of the kids playing soccer at the park. This development will cause a lot of congestion in the neighborhood.
  - Richard Novak, 110 Lincoln Street, spoke in opposition of the 102/104 Lincoln Street apartment development project. The traffic problems will not be able to be undone. The neighborhood will be even more crowded than it is now.
  - Rick Zuehl, 1210 Hemlock Dr. spoke regarding the pools (warm water and competition) going in at the high school. The economic impact to the city could be quite dramatic. We could host multi-day meets which host hundreds of families from the area, especially with hotels right next to the property. It would be nice to have some connection that will help us keep the amenities funded.
5. Approval of Minutes from the December 18, 2017 Common Council Meeting:  
Motion by Linder, seconded by Gaskell, to approve the minutes of the December 18, 2017 Common Council meeting. Motion carried 7-0.
6. Mayor's Business:
  - A. Committee Appointments  
No appointments were made.
7. Announcements
  - Mr. Stiner thanked Deputy Clerk Holly Licht for her service to the city, and wished her the best in the City of Stoughton.
  - A candidate forum will be held at the Verona Senior Center on Wednesday, January 17<sup>th</sup>.
  - The Fairfield Inn will be hosting the annual crossing guard honors on Wednesday, January 14<sup>th</sup>.

- Mayor Hochkammer wished Deputy Clerk Holly Licht the best in her adventure with the City of Stoughton.

8. Administrator's Report:

- Dane County City & Villages Association monthly meeting will be held at the fire station on January 10<sup>th</sup> from 12 noon – 1 p.m.
- On January 22<sup>nd</sup>, Dana Investment Advisors will be presenting information to the Finance Committee regarding the first 6 months of their investing the city's funds.

9. Engineer's Report:

- Downtown streets reconstruction phase II is out for bid. The public bid opening will be held Feb 7<sup>th</sup>.
- AECOM is working on the design of CTH PD from CTH M to Woods Rd, as well as the bike/pedestrian project, which will be bid in April.

10. Committee Reports:

**A. Finance Committee**

- (1) Discussion and Possible Action Re: Payment of Bills. Motion by Linder, seconded by Doyle, to approve the payment of bills in the amount of \$900,776.78. Motion carried 7-0.

**B. Planning Commission**

- (1) Discussion and Possible Action Re: Resolution No. R-18-001 approving a Conditional Use Permit to allow an indoor commercial entertainment land use at 1155 Clarity Street for CrossFit Adept. Motion by Diaz, seconded by Doyle, to approve a Conditional Use Permit to allow an indoor commercial entertainment land use at 1155 Clarity Street for CrossFit Adept. Motion carried 7-0.
- (2) Discussion and Possible Action Re: A Planned Unit Development (PUD) concept plan located at 102/104 Lincoln Street that would allow for the construction of 90 apartment units. The Downtown Mobility and Development plan recommended that this property be redeveloped as a multi-family land use with 72 units.

Mr. Diaz asked for answers to public comment questions.

Mr. Sayre stated staff noticed Mr. Hankard's concerns regarding the project. There will be no phasing with this project. There is always the potential for another building. Any additional approvals would have to go before the Plan Commission and Common Council.

Mayor Hochkammer stated the relocation of the drainage pipe on this property to accommodate additional buildings would be very expensive, and the city would not be picking up the cost of moving it.

Mr. Sayre stated that Cedor, the current tenant on this property, is building a new building in Belleville, and will be moving out in the next several months.

Mr. Stiner stated he would rather see the property platted for single family homes.

Ms. Gaskel asked if there are plans for a TIA.

Mr. Sayre stated there are no plans for a TIA at this time. This land was included in the downtown mobility plan, which included a significant amount of traffic analysis. A new study wouldn't produce anything new.

Mr. Touchett asked about affordability of the apartments in this development. He would prefer to have another business move in there.

Mr. Sayre stated Cedor does not own the property. In the downtown plan, multi-family use with 72 units was identified. The plan also identified the lands north of this property as potential mixed use. The multi-family would be a buffer between the mixed use area and the single family units.

Ms. Gaskell asked how the developer arrived at 90 units.

Brian Stoddard, project architect with Knothe & Bruce Architects, stated this is a large site, and they wanted to maximize its use. Through discussions with the neighborhood, we reduced the development from 3 buildings to 1 building, and placed the building near the edges of the property on Lincoln Street and the Military Ridge Trail. The density would be similar to Murray Glen, which is about 25 units per acre.

Mr. Sayre stated the developer will take feedback for necessary changes. The next step in the process is the general development plan (GDP), which requires a public hearing. Public hearing notices are placed in the newspaper and on the property. We also do a development e-mail blast notifying people of development projects in the city. The common council has ultimate authority on the GDP. The precise implementation plan (PIP) is next, and includes all the details of the project. It also requires a public hearing, and the Common Council again has ultimate authority.

Mr. Touchett stated he would like to see side-by-side condos, townhouses, or the like. He would be more comfortable with reducing the density.

Mayor Hochkammer stated no formal motion by the Common Council is required, as this is the conceptual review of the project.

Mayor Hochkammer requested unanimous consent to take up the Public Works Sewer and Water Committee items C.(1.) and C.(2.) at this time. There were no objections.

### **C. Public Works Sewer and Water Committee**

- (1) Discussion and Possible Action Re: Amendment No. 2 for Project ID 2017-108, City Parking Lots (Senior Center, Library, Old Library). Motion by Touchett, seconded by Diaz, to approve Amendment No. 2 for Project ID 2017-108, City Parking Lots (Senior Center, Library, Old Library). This amendment includes re-bidding of the project, additional WDNR permitting, and analysis for the library book drop-off. The cost of the amendment is \$8,200. The final contract value is \$44,350.00. Motion carried 7-0.
- (2) Discussion and Possible Action Re: A Professional Service Agreement with AECOM for design of Project 2017-115, Well 6. Motion by Touchett, seconded by Diaz, to approve a Professional Services Agreement with AECOM for design of Project 2017-115, Well 6 not to exceed \$127,945.00. This contract includes design services, plans, specifications, estimates, and bidding services. Motion carried 7-0.
- B. (3) Discussion and Possible Action Re: Resolution No. R-18-002 approving a Certified Survey Map to create one (1) lot at 660 Hometown Circle. Motion by Linder, seconded by Reekie, to approve a Certified Survey Map to create one (1) lot at 660 Hometown Circle. Lot 1 of this CSM will contain the future Festival Foods grocery store. As part of the CSM, 7,242 square feet of Keenan Court will be vacated and rededicated to the public, and the roadway will shift slightly to the south. Mr. Sayre stated there will be a slight modification to the CSM due to the public access easement agreement. The motion stands as is. Motion carried 6-1, with Diaz voting no.
- (4) Discussion and Possible Action Re: Approval of a Vacant Building Agreement between the City of Verona and CHIFest Properties, Verona, LLC (Festival Foods) at 660 Hometown Circle. This agreement places maintenance requirements on the property owner if the building were to become vacant, including demolition if the building remains vacant for an identified time period and is not properly maintained. It also binds the City to impose the same requirements on other development projects meeting size, owner and use specifications. Discussion followed on the length of time that the building would have to stand vacant before demolition would be required, the definition of 'vacant', the definition of 'disrepair', other possible uses for the building, and the requirement that the City impose the same vacant building agreement on other similar development projects.

Mayor Hochkammer stated all like properties should be treated the same, and this agreement protects the city in the worst case scenario.

Motion by Doyle, seconded by Reekie, to approve a Vacant Building Agreement between the City of Verona and CHIFest Properties, Verona, LLC (Festival Foods ) at 660 Hometown Circle. Motion carried 7-0.

- (5) Discussion and Possible Action Re: Approval of a Public Access Easement between CHIFest Properties, Verona, LLC (Festival Foods) and the City of Verona at 660 Hometown Circle. Motion by Doyle, seconded by Touchett, to approve a Public Access Easement between CHIFest Properties, Verona, LLC (Festival Foods) and the City of Verona at 660 Hometown Circle, contingent upon final review by City Staff and the City Attorney. This easement will provide a public easement for pedestrian and vehicular access between Keenan Court and Hometown Circle.

Ms. Gaskell asked how the access trail east of Keenan Court will function.

Mr. Sayre replied that access point will be closed when the connection is made between Keenan Court and Hometown Circle. Some type of bike and pedestrian access will likely come off the Ice Age Junction path. Motion carried 7-0.

- (6) Discussion and Possible Action Re: Approval of a Public Improvements Agreement for the CHIFest Properties, Verona, LLC (Festival Foods) at 660 Hometown Circle. Motion by Doyle, seconded by Touchett, to approve a Public Improvements Agreement for the CHIFest Properties, Verona, LLC (Festival Foods) at 660 Hometown Circle, contingent upon final review by City Staff and the City Attorney. This agreement establishes a driveway between Keenan Court and Hometown Circle as a fire lane, which allows the City to prohibit parking and remove vehicles parked illegally. Motion carried 7-0.

Aldersperson Gaskell left the meeting.

## 11. Old Business

- A. Discussion and Possible Action Re: Costs associated with public roads, public rights-of-way, and potential property purchase in partnership between the City of Verona and the Verona Area School District regarding the development of the new high school and property.

*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 open session to discuss and take action on the subject matter discussed in the closed session.*

Mr. Mikorski stated the city council requested staff to research information regarding the costs associated with the roads, public right-of-ways and property regarding the development of the new high school and property.

Mr. Kleinmaier stated that city staff took guidance that was provided at the joint meeting in November. This is the council's decision, so it is important for staff to share this information in closed session. It all relates to what extent the City of Verona is willing to make a financial contribution to the school district project.

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

On roll call: Alder Doyle – Aye; Alder Linder – Aye; Alder Reekie – Aye; Alder Stiner – Aye; Alder Touchett – Aye; Alder Diaz – Nay; Alder Gaskell - Absent. 5 Ayes – 1 Nay. Motion carried.

The Common Council convened in closed session at 8:17 p.m. The Common Council requested legal counsel, City staff, and AECOM staff to remain for the closed session.

#### CLOSED SESSION

Motion by Diaz, seconded by Doyle, to reconvene in open session. Motion carried 6-0. The Common Council reconvened in open session at 9:41 p.m.

Mr. Kleinmaier reported that the city is going to be willing to provide up to a \$5 million payment pursuant to prior discussions with the school district. He confirmed that this is a commitment of up to \$5 million. City staff has been directed to put together a term sheet that will result in an agreement with the school district. Examples of some of the details are acquisition of the Sugar Creek Elementary School property clean, and the timing of payments to the school district.

B. Discussion and Possible Action Re: Selection of a City Council Representative to the Plan Commission. Alder Diaz nominated Alder Gaskell as the City Council Representative to the Plan Commission. Alder Linder asked not to be nominated. Alder Linder nominated Alder Touchett as the City Council Representative to the Plan Commission. On roll call: Alder Linder – Touchett, Alder Reekie – Gaskell, Alder Stiner – Touchett, Alder Touchett – Touchett, Alder Diaz – Gaskell, Alder Doyle – Gaskell. 3 votes for Gaskell, 3 votes for Touchett. Motion failed.

#### 12. New Business

A. Discussion and Possible Action Re: Approval of Operator Licenses. Motion by Linder, seconded by Reekie, to approve operator licenses for Michael Johnson for Cahoot's; Joseph Black for Verona Liquor; Austin Schwartz-Beltzer for Mr. Brew's Taphouse; Joshua Steinhauer for It's Time; Margie Heckard for Sugar River Pizza Company; and Bethany Rageth for Toot & Kates. Motion carried 6-0.

B. Discussion Re: Vacant City Council District 1 seat.

Mayor Hochkammer recommended that, since Chad Kemp is the only person running for the District 1 seat, the Common Council appoint Mr. Kemp to that seat. He is discussing with his family about when he will be willing to begin service. The consensus of the Common Council was to proceed with the appointment of Chad Kemp to the Common Council District 1 seat when he indicates that he is ready to serve.

#### 13. Adjournment:

Motion by Touchett, seconded by Reekie, to adjourn at 9:46 p.m. Motion carried 6-0.

Ellen Clark  
City Clerk