



**MINUTES  
FITCBURG COMMON COUNCIL  
MAY 26, 2015  
7:30 P.M.  
CITY HALL**

1. **CALL TO ORDER** - Mayor Arnold called the meeting to order at 7:36 p.m.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** Julia Arata-Fratta, Dan Carpenter, Jason Gonzalez, Tony Hartmann, Jake Johnson, Dorothy Krause, Carol Poole, and Patrick Stern. Others Present: Tony Roach, City Administrator and Patti Anderson, City Clerk.
4. **PUBLIC APPEARANCES NON-AGENDA ITEMS / NEW APPOINTMENTS**
  - A. **Mayoral Appointments** (*\* Indicates Short Term Due to Vacancy or to Properly Stagger Terms*)
    1. **New Appointments**
      - a. Ag & Rural Affairs Committee – Tom Thrall, Term Expires 4/17/2018
      - b. Commission on Aging – Ada Deer, Term Expires 4/17/2018
      - c. Community & Economic Development Authority – Arlene Silveira, Term Expires 4/16/2019
      - d. Community & Economic Development Authority – Sabrina Madison, Term Expires 4/17/2018\*
      - e. Library Board – Stephen H. Arnold, Term Expires 4/17/2018
      - f. Library Board – Zulma Franco, Term Expires 4/17/2018
      - g. Library Board – Ben Mueller, Term Expires 4/18/2017\*
      - h. Plan Commission – Bill Tishler, Term Expires 4/17/2018
      - i. Plan Commission – Ron Johnson, Term Expires 4/17/2018
      - j. Police & Fire Commission – Mariam Maldonado, Term Expires 4/21/2020
      - k. Resource Conservation Commission – Kim Warkentin, Term Expires 4/17/2018
      - l. Transportation & Transit Commission – Darren Blankenship, Term Expires 4/17/2018

**Citizen Registrations** - John Matthews, Dawn Stiegert, and Kaleem Caire (registered and spoke in support of the Mayoral appointments).

Francis Huntley-Cooper, Tom Thrall, Ada Deer, Arlene Silveira, Sabrina Madison, Jeanie Sieling, Stephen H. Arnold, Zulma Franco, William Tischler, Ronald Johnson, Kim Warkentin, Darren Blankenship, and Phil Sveum (registered in support of the Mayoral Appointments).

Motion by Stern, 2<sup>nd</sup> by Carpenter to **approve** the New Appointments.

**Motion carried.**

2. **Reappointments**
  - a. Commission on Aging – Sue Sheets, Term Expires 4/17/2018
  - b. Community & Economic Development Authority – Andy Potts, Term Expires 4/19/2016\*
  - c. Community & Economic Development Authority – Stewart Brown, Term Expires 4/16/2019
  - d. Resource Conservation Commission – Samuel Cooke, Term Expires 4/17/2018

Motion by Krause, 2<sup>nd</sup> by Johnson to **approve** the Renewal appointments.

**Motion carried.**

B. **2014 Audit Presentation** – Baker Tilly Virchow Krause, LLP, Vicki Hellenbrand, CPA  
Vicki spoke and answered questions regarding the 2014 Audit.

5. **CONSENT AGENDA**

A. **APPROVAL OF MINUTES** – May 12, 2015

B. **REFERRALS TO COMMISSIONS AND COMMITTEE**

**Rezone/Conditional Use Permit Request RZ/CU-2058-15** by Tom Weigand, to Rezone Property Addressed as 5352 King James Way from the B-G (General Business) District to the B-H (Business Highway) District and a Conditional Use Permit to Allow for Storage and Distribution Use (*Plan*)

**Conditional Use Permit Request CU-2059-15** by Carl Ruedebusch, Agent for Techlands LLC, to Allow for Agriculture Use on Lot 25 Techlands (*Plan, Ag & Rural Affairs*)

**Certified Survey Map Request CS-2060-15** by Randall Guenther of Downtown Fitchburg II LLC, to Divide Property at Syene Road & Clayton Road, Property in Section 11, into 3 Parcels (*Plan*)

**Certified Survey Map Request CS-2062-15** by Robert Blettner, Agent for Marketplace of Fitchburg LLC, to Reconfigure Lots 2 & 3 of CSM 9367 into a New Two Lot CSM (*Plan*)

**Rezone Request RZ-2061-15** by John Seamon, Agent for Benjamin Properties, to Rezone from the B-H (Business Highway) District to the B-G (General Business) District, to Allow for an Office and Retail Building, at King James Way, Lot 2 CSM 05649 (*Plan*)

**Rezone Request RZ-2063-15** Hawk Sullivan of Atomic Koi, to Amend the PDD-SIP (Planned Development District – Specific Implementation Plan) Zoning to Allow for a Blade Sign with Metal Starbursts at 2685 Research Park Drive, Lot 32, Fitchburg Technology Campus – 1<sup>st</sup> Addition (*Plan*)

**Rezone Request RZ-2064-15** James Anderson, Agent for Pranke Holding LLC, to Amend the PDD-SIP (Planned Development District – Specific Implementation Plan) Zoning to Allow for a Convenience Cash Business at 5401 Caddis Bend, Lot 4 Hatchery Hill (*Plan*)

**Rezone Request RZ-2065-15** by Thomas Sanford, Agent for Homeville Fitchburg/Bill Clemens, to Amend the PDD-GIP (Planned Development District – General Implementation Plan) Zoning for Lot 1 CSM 12135 (*Plan*)

**Resolution R-60-15** Approving Contract with Mead & Hunt for the Design of Lacy Road from the Community Center to S. Syene Road (*BPW, Finance*)

**Resolution R-61-15** Approving Revised Agreement with Wisconsin Department of Transportation for the Reconstruction of Verona Road from CTH PD North to Raymond Road (*BPW, Finance*)

**Resolution R-62-15** Adopting Capitol Improvement Program – 2016 Through 2020 (*Plan, BPW, Finance*)

**Resolution R-63-15** A Resolution Directing the City's Agriculture and Rural Affairs Committee to Develop the Agriculture Plan (*Plan*)

**Resolution R-64-15** Approving Agreement for Subdivision Improvements in the Plat of Quarry Vista (*BPW*)

C. **Public Safety & Human Services**

1. **Operator Licenses needing special attention (Issuance Contingent upon Payment of all Fees Owed to City of Fitchburg – Notes: N = New, All Others = Renewal)**

Annette White – N;

2. **Consideration of the Following Fermented Malt Beverage and Intoxicating Liquor Licenses: (Issuance Contingent upon Payment of all Fees owed to The City of Fitchburg) All are renewal applications.**

**CLASS “B”/“CLASS B” FERMENTED MALT BEVERAGE & INTOXICATING LIQUOR**

Monkeyshines, Inc., 6209 McKee Road - DBA Monkeyshines - William G McMahan, Agent

**CLASS “B” FERMENTED MALT BEVERAGE RETAIL LICENSE ANDRESERVE “CLASS B” INTOXICATING LIQUOR RETAIL LICENSE**

Artful Escapes, LLC, 3000 Cahill Main #214 – DBA Artful Escapes – Arlene K. Welcher, Agent

Badger Columbus Club, LLC, 5256 Verona Road – DBA Knights of Columbus Council 4527 – Daniel William Kelly, Agent

Fitchburg Flying Hound, LLC, 6317 McKee Road Suite 300 – DBA The Flying Hound Alehouse – Timothy Gilbert Thompson., Agent

Hy-Vee, Inc., 2920 Fitchrona Road – DBA Hy-Vee – Lucas Glasgon, Agent

Laredos Mexican Restaurant, Inc., 2935 S. Fish Hatchery Road – DBA Laredos Mexican Restaurant – Jose J. Onate, Agent

Pancake Café Fitchburg, LLC, 6220 Nesbitt Road – DBA Pancake Café Fitchburg, LLC – Gary L. Tierman, Agent

Pounders, LLC, 6285 Nesbitt Road – DBA Ten Pin Alley – William E. Pounders Jr, Agent

Two Dollars, LLC, 2685 Research Park Drive #200 – DBA Atomic Koi Cocktail Lounge – Hawk Sullivan, Agent

**CLASS “B” FERMENTED MALT BEVERAGE**

Break Away Sports Center, Inc., 5964 Executive Drive - DBA Break Away Sports Center Inc. Mathew John Lombardino, Agent

Candle Tray, LLC, 2685 Research Park Drive #100 – DBA The Roman Candle Pizzeria – James Ember, Agent

Choke Dee, LLC, 3050 Cahill Main #4 - DBA Curry In The Box – Saengrawee Pratoomtong, Agent

Haveli Restaurant, Inc., 5957 McKee Road, #108 – DBA Haveli Restaurant – Sital Singh, Agent

Nine Springs G.C. LLC, 2201 Traceway Drive - DBA Nine Springs Golf Course – Daniel J. Larsen, Agent

Raw Green, LLC, 6250 Nesbitt Road – DBA True Coffee Roasters – Britton Wiedemann, Agent

The Noodle Shop Company-Wisconsin, Inc., 2981 Triverton Pike Drive - DBA Noodles & Company – Larissa Mathes, Agent

**CLASS “A”/“CLASS A” FERMENTED MALT BEVERAGE & INTOXICATING LIQUOR**

Aldi, Inc., 6261 McKee Road – DBA Aldi #04 – Matthew J. Hosch, Agent

DSPC Inc., 3064 Fish Hatchery Road – DBA Neil's Liquor – Bill O'Connell, Agent

Francois Oil Company Inc., 2770 S. Syene Road – DBA Syene Depot/The Station #119 – Steve J. Merry, Agent

Kelley Williamson Co., 2956 Fish Hatchery Road – DBA Mobil Mart – Suzanne Dorsey- Sterling, Agent

PDQ Food Stores, Inc., 6133 McKee Road - DBA PDQ Store #128 – Phillip J. Troia, Agent

**CLASS “A” FERMENTED MALT BEVERAGE**

La Hispana, LLC, 3060 Fish Hatchery Road – DBA La Hispana, LLC. – Lid H. Tejeda, Agent

PDQ Food Stores, Inc., 5280 Williamsburg Way - DBA PDQ Store #111 - Phillip J. Troia, Agent

PDQ Food Stores, Inc., 6208 McKee Road - DBA PDQ Store #131 – Phillip J. Troia, Agent

Stop-N-Go of Madison, Inc, 2932 Fish Hatchery Road - DBA Stop-N-Go #285 – Andrew J. Bowman, Agent

**“CLASS C” RETAILERS’ LICENSE FOR THE SALE OF WINE**

Candle Tray, LLC, 2685 Research Park Drive #100 – DBA The Roman Candle Pizzeria – James Ember, Agent

Choke Dee, LLC, 3050 Cahill Main #4 - DBA Curry In The Box – Saengrawee Pratoomtong, Agent

Haveli Restaurant, Inc., 5957 McKee Road #108 – DBA Haveli Restaurant – Sital Singh, Agent

Raw Green, LLC, 6250 Nesbitt Road – DBA True Coffee Roasters – Britton Wiedemann, Agent

The Noodle Shop Company-Wisconsin, Inc., 2981 Triverton Pike Drive - DBA Noodles & Company Larissa Mathes, Agent

4. Poole requested item 5B58, 5B60, and 5C1 be removed from the consent agenda.
5. Motion by Poole, 2<sup>nd</sup> by Johnson to **add** Ag & Rural Affairs Committee to item 5B58.
  - a. **Motion carried.**
6. Poole noted a clerical error on item 5B60. This should be listed as being referred to Plan Commission.
7. Motion by Poole, 2<sup>nd</sup> by Gonzalez to **table** action on item 5C1 as this was tabled by the Public Safety Committee until June 9<sup>th</sup>.
  - a. **Motion carried.**
8. Motion by Poole, 2<sup>nd</sup> by Stern to **approve** the consent agenda.
  - a. **Motion carried.**

6. **ADMINISTRATOR’S REPORT**

Roach presented the Administrators Report.

7. **COMMISSION/COMMITTEE REPORTS**

A. **Plan Commission**

1. Motion by Poole, 2<sup>nd</sup> by Gonzalez to **approve Ordinance 2015-O-12** An Ordinance Amending Chapter 23 to Article 1 Table 2(g), Article 5 Section 5.6.2(f)(vi), Article 5 Section 5.6.2(g), and Article 5 Table 21
  - a. **Motion carried.**
2. Motion by Poole, 2<sup>nd</sup> by Stern to **approve Ordinance 2015-O-14** Zoning Ordinance Amendment Issuing Specific Implementation Plan Zoning for Part of Lot 1, 2 and 3 CSM 11159
  - a. **Motion carried.**

Craig Raddatz, representing Fiduciary Real Estate registered to answer questions if needed.

3. Motion by Poole, 2<sup>nd</sup> by Arata-Fratta to **approve Ordinance 2015-O-15** Zoning Ordinance Amendment Approving Rezone Request RZ-2056-15 by Samina Khan, to Rezone Property Addresses as 6200 Nesbitt Road from the B-G (General Business) to the B-P (Professional Office) District
  - a. **Motion carried.**

Kent Yan, Samina Khan, Pervaiz Rashid, and Zafeer Din registered in support.

B. **Board of Public Works**

1. Motion by Krause, 2<sup>nd</sup> by Poole to **approve Resolution R-57-15** Authorizing Acceptance of the Fitchrona Road Water Main Bid (*Finance*)
  - a. **Motion carried.**
2. Motion by Krause, 2<sup>nd</sup> by Poole to **approve Resolution R-58-15** Preliminary Assessment Resolution for Water Main Improvements on Fitchrona and Lacy Road (*Finance*)

a. **Motion carried.**

C. **Park Commission**

D. **Library Board**

E. **Commission on Aging**

F. **Resource Conservation Commission**

G. **Transportation & Transit Commission**

H. **Community & Economic Development Authority**

I. **Agriculture & Rural Affairs Committee**

J. **Reports from other Commissions and Committees**

8. **STANDING COMMITTEE REPORTS**

A. **Finance Committee**

1. Stern reported that Finance reviewed a batch of bills **Under \$25,000 or Previously Pre-Approved** General Checks 110871 through 111047 dated May 21, 2015 Total \$1,012,491.17
2. Motion by Stern, 2<sup>nd</sup> by Carpenter to **approve Pre-Approval for Emergency Purchase**
  - a. Emergency Repairs to Well 10 – CTW Corp, \$112,450
  - b. **Motion carried.**
3. Stern reported that there were no **Bills for \$25,000** or more to approve.
4. Motion by Stern, 2<sup>nd</sup> by Gonzalez to **approve Resolution R-52-15** Replacement of Hurst Extrication Equipment, CIP #2256
  - b. **Motion carried.**

B. **Personnel Committee**

C. **Public Safety & Human Services**

1. Motion by Poole, 2<sup>nd</sup> by Gonzalez to **approve Ordinance 2015-O-13** To Amend Chapter 70, Sec. 70-309 – Forfeitures Schedule
  - a. **Motion carried.**

9. **MAYOR'S REPORT**

- A. Mayor Arnold presented the Mayor's report
- B. Alder District Reports

10. **UNFINISHED BUSINESS** - None

11. **NEW BUSINESS** - None

12. **ANNOUNCEMENTS**

- A. Next Committee of the Whole Meeting, May 27, 2015
- B. Next Common Council Meeting, June 9, 2015

13. Motion by Stern, 2<sup>nd</sup> by Carpenter to **adjourn.**

- A. Motion carried. Time: 9:26 p.m.