



**MINUTES  
FITCBURG COMMON COUNCIL  
JUNE 9, 2015  
7:30 P.M.  
CITY HALL**

1. **CALL TO ORDER** - Mayor Arnold called the meeting to order at 7:32 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, Mark Sewell, City Attorney, Cory Horton, Director of Public Works, Mike Zimmerman, Economic Development Director and Patti Anderson, City Clerk
4. **PUBLIC APPEARANCES NON-AGENDA ITEMS / NEW APPOINTMENTS**
  - A. **Mayoral Proclamation** Recognizing June, 2015 as Alzheimer's & Brain Awareness Month
  - B. **Public Hearing** – 2016-2020 Capital Improvement Plan
    1. Mayor Arnold opened the public hearing at 7:38 p.m.
    2. Citizen Registrations – 13 registered in opposition. Sue Everson, Kristine Kellor, Eileen Kellor, and Becky Baumbach spoke in opposition to certain CIP projects.
    3. Mayor Arnold closed the public hearing at 8:17 p.m.
  - C. **Mayoral Appointments** (*\* Indicates Short Term Due to Vacancy or to Properly Stagger Terms*)
    1. **New Appointments**
      - a. Board of Public Works – Ryan Fralish, Term Expires 4/21/2018
      - b. Board of Review – Elton Crim, Jr., Term Expires 4/18/2018
      - c. Commission on Aging – Jim Sosnouski, Term Expires 4/18/2017\*
      - d. EMS Commission – Carola Gaines, Term Expires 4/21/2017
      - e. Park Commission – Andrew McClannahan, Term Expires 4/21/2018
      - f. Park Commission – Karen Lawrence, Term Expires 4/18/2017
      - g. Zoning Board of Appeals – Dawn Stiegert, Term Expires 4/21/2018
      - h. Citizen Registrations - Sabrina Madison registered and spoke in support of Carola Gaines. Dawn Stiegert and Carola Gains registered and also answered questions.
      - i. Stern requested to separate out Katherine Sanders (EMS Commission) from the appointment list. Hearing to objections, no action was taken on the appointment of Katherine Sanders.
      - j. Motion by Johnson, 2<sup>nd</sup> by Hartmann to **approve** the New Appointments.
      - k. **Motion carried.**
4. C. **Mayoral Appointments** (*\* Indicates Short Term Due to Vacancy or to Properly Stagger Terms*)
  2. **Reappointments**
    - a. Board of Review – Erika Ryerson, Term Expires 4/21/2018
    - b. Landmarks Preservation Commission – Mike Couillard, Term Expires 4/21/2018
    - c. Landmarks Preservation Commission – J. Eric Urtes, Term Expires 4/21/2018
    - d. Landmarks Preservation Commission – Bill Kinney, Term Expires 4/21/2016\*
    - e. Park Commission – Mark Vivian, Term Expires 4/21/2018

- f. Motion by Stern, 2<sup>nd</sup> by Poole to **approve** the Renewal appointments. **Motion carried.**  
Motion by Stern, 2<sup>nd</sup> by Arata-Fratta to amend the agenda and take up items 7a1 and 8a3.  
**Motion carried.**

7. **COMMISSION/COMMITTEE REPORTS**

A. **Plan Commission**

1. Motion by Poole, 2<sup>nd</sup> by Stern to **approve Resolution R-55-15 & PCR-02-15** Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 9, City of Fitchburg, Wisconsin (*JRB, Finance*)
  - a. Jim Mann, Ehlers & Associates was present and spoke regarding the TID #9 proposal.
  - b. Angela Kinderman, representing the Fitchburg Chamber of Commerce, registered in support of the project.
  - c. Kevin Unbehaun, representing Sub Zero, registered to answer questions.
  - d. Tony Fox, representing Sub Zero, registered to answer questions.
  - c. Kate Crowley, representing Baker Tilly and Sub Zero, registered to answer questions.
  - d. Roll Call Vote: Ayes: Krause, Poole, Stern, Arata-Fratta, Carpenter, Gonzalez, Hartmann, Johnson.
  - e. **Motion carried (8-0).**

8. **STANDING COMMITTEE REPORTS**

A. **Finance Committee**

3. Motion by Stern, 2<sup>nd</sup> by Poole to **approve Resolution R-56-15** Resolution Approving Development Agreement and Release of Option to Purchase Between Sub Zero Corporation and the City of Fitchburg
  - a. Sewell reviewed the agreement and answered questions
  - b. Roll call vote: Ayes: Krause, Poole, Stern, Arata-Fratta, Carpenter, Gonzalez, Hartmann, Johnson.
  - c. **Motion carried (8-0).**

5. **CONSENT AGENDA**

A. **APPROVAL OF MINUTES** - May 26, 2015

B. **REFERRALS TO COMMISSIONS AND COMMITTEE**

- Resolution R-65-15** Release of Utility Rights in Platted and Dedicated Right-of-Way for Bud's Drive and a Portion of Marketplace Drive (*Plan, BPW*)  
**Resolution R-66-15** Final Resolution to Discontinue a Portion of Marketplace Drive and All of Bud's Drive, Remove from Official Map and Convey Title to Property Owner (*Plan*)  
**Resolution R-67-15** Adopting the 2016 Annual City Budget Schedule (*Finance*)

C. **Public Safety & Human Services**

1. **Temporary Operator Licenses: (Issuance Contingent upon Payment of all Fees Owed to City of Fitchburg)** Concerts at McKee, John Darling, Janice Kilby, Thomas Rasmussen and Maggie Wysocki.
2. **Consideration of the Following Application for Temporary Class "B"/"Class B" Retailers License "Picnic License" (Issuance Contingent upon Payment of all Fees Owed to City of Fitchburg) – For Sale of Fermented Malt Beverages only**  
Fitchburg Lions Club, 2523 Targhee Street, Fitchburg WI to hold Concerts at McKee on Monday, June 15, July 20, and Aug 17, 2015 from 5:30 p.m. to 8:00 p.m. at McKee Farms Park, 2930 Chapel Valley Road, Fitchburg, WI 53711.
3. **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.**

**RESERVE "CLASS B" INTOXICATING LIQUOR RETAIL LICENSE**

Benvenuto's, Inc., 2949 Triverton Pike Drive - DBA Benvenuto's Italian Grill – Molly C. Swain, Agent

Blazin Wings, Inc., 6227 McKee Road – DBA Buffalo Wild Wings #412 – Richard S. Hacker, Agent

GD2, LLC, 2980 Cahill Main – DBA Great Dane Pub Fitchburg – Theodore Peterson, Agent

Maxamaya LLC, 5957 Mckee Road – DBA Barriques Market – Matt R.Weygandt, Agent

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

LT II, LLC, 5276 Williamsburg Way – DBA Liquor Town - Dane Clarence Hendricks, Agent

Steve’s at Orchard Pointe, 6227 McKee Road – DBA Steve’s at Orchard Pointe – Randall Wautlet, Agent

Target Corporation, 6321 Mckee Road – DBA Target Store T2106 – Jim Thomson, Agent

Ultimate Mart, LLC, 3010 Cahill Main – DBA Cops Food Center #8182 – Andrew Hein, Agent

White Way Holdings, Inc., 2050 CTH MM – DBA Town and Country Mart – Nirbhai S. Pangli, Agent

**CLASS “A” FERMENTED MALT BEVERAGE**

Speedway, LLC, 2810 Fish Hatchery Road – DBA Speedway #4170 – Cara Dean, Agent

4. Motion by Krause, 2<sup>nd</sup> by Johnson to **approve** the consent agenda.

5. **Motion carried.**

6. **ADMINISTRATOR’S REPORT**

Roach presented the Administrators Report.

7. **B. Board of Public Works**

1. Motion by Krause, 2<sup>nd</sup> by Carpenter to **approve Resolution R-60-15** Approving Contract with Mead & Hunt for the Design of Lacy Road from the Community Center to S. Syene Road (*Finance*)

a. Cory Horton, Director of Public Works, spoke and answered questions regarding the project.

b. **Motion carried.**

2. Motion by Krause, 2<sup>nd</sup> by Stern to **approve 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 (*Finance*)

a. Horton answered questions regarding the project.

b. **Motion carried.**

3. Motion by Krause, 2<sup>nd</sup> by Poole to **approve Resolution R-64-15** Approving Agreement for Subdivision Improvements in the Plat of Quarry Vista

a. Horton answered questions regarding the project.

b. **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 111048 through 111205 dated June 4, 2015  
Total \$396,407.99
2. Motion by Stern, 2<sup>nd</sup> by Arata-Fratta to **approve Bills for \$25,000** or more, batch Dated June 4, 2015 - \$ 109,800.
  - a. **Motion carried.**

B. **Personnel Committee**

C. **Public Safety & Human Services**

1. Motion by Poole, 2<sup>nd</sup> by Stern to **approve** Operator Licenses needing special attention - Annette White – N.
2. **Motion carried.**

9. **MAYOR'S REPORT**

A. Mayor Arnold presented the Mayor's report

B. Alder District Reports – Stern thanked retiring City Administrator Tony Roach for his 15 years of service to the City and the Council.

10. **UNFINISHED BUSINESS** - None

11. **NEW BUSINESS**

- A. Motion by Gonzalez, 2<sup>nd</sup> by Stern to go into **Closed Session**: pursuant to Wisconsin Statutes 19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility (*City Administrator candidate interview*).
  1. Roll call vote: Krause, Poole, Stern, Arata-Fratta, Carpenter, Gonzalez, Hartmann, Johnson. Nay: Gonzalez.
  2. **Motion carried (7-1).**

11:00 p.m. – Motion by Stern, 2<sup>nd</sup> by Gonzalez to extend meeting to 11:30. **Motion carried.**

B. Motion by Stern, 2<sup>nd</sup> by Hartmann to **Reconvene** into Open Session. **Motion carried.**

C. **Discussion and Possible Action Regarding Issues Discussed in Closed Session**

1. Mayor Arnold formally nominated Pat Marsh as the next City Administrator contingent upon successful completion of all background checks and the necessary pre-employment requirements.
2. Motion by Carpenter, 2<sup>nd</sup> by Gonzalez to move forward with pursuing Pat Marsh as the City Administrator.
  - a. Roll call vote: Ayes: Krause, Poole, Stern, Arata-Fratta, Carpenter, Gonzalez, Hartmann, Johnson. **Motion carried (8-0).**

12. **ANNOUNCEMENTS**

- A. Next Common Council Meeting, June 23, 2015
- B. Next Committee of the Whole Meeting, June 24, 2015

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

A. **Motion carried.** Time: 11:18 p.m.

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*Note: It is possible that members of and possibly a quorum of members of other government bodies of the municipality may be in attendance at the above stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Fitchburg City Hall, 5520 Lacy Road, Fitchburg WI 53711,(608) 270-4200*