



**MINUTES
FITCHBURG COMMON COUNCIL
AUGUST 25, 2015
7:30 P.M.
CITY HALL**

1. **CALL TO ORDER** - Mayor Arnold called the meeting to order at 7:34 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: Susan Badtke, Community Planner, Mike Zimmerman, Economic Development Coordinator, Mark Sewell, City Attorney and Patti Anderson, City Clerk.
4. **PUBLIC APPEARANCES NON-AGENDA ITEMS / NEW APPOINTMENTS**

Patrick Stern, 2969 Brynwood Drive, registered and spoke regarding leadership and transparency with the City.

 - A. Judge Ezalarab to discuss items related to **Ordinance 2015-O-23** An Ordinance Amending Chapter 70, Section 70-309 Forfeiture Schedule

Judge Ezalarab and Susie Jones, Community Service Liaison, were both present to discuss the alternative and conviction program for both adults and juveniles as it relates to the Ordinance amendment. There was discussion regarding the program and how changing the forfeiture schedule could impact the program.
 - B. Mayor Arnold opened the public hearing at 8:15 p.m. Adopt the 2015 Amendments to the Comprehensive Plan.

Robert Helm, Bill Dunn, James Spahr, and Bob Sieger registered in support of the comprehensive plan amendments and to answer questions if needed.

Public Hearing closed at 8:16 p.m.
5. **CONSENT AGENDA**
 - A. **APPROVAL OF MINUTES** – August 11, 2015
 - B. **REFERRALS TO COMMISSIONS AND COMMITTEE**

Resolution R-86-15 A Resolution Instructing Staff to Commence Work on Possible TID #4 End Users (*Council*)
Resolution R-90-15 Authorizing Purchase of Brush Chipper (*BPW, Finance*)
Conditional Use Permit Request CU-2078-15 by Bob Feller, Agent for Benjamin Properties, to Exceed the Allowed Height Limitations of 42 Feet for the New Proposed 3-Story Building at 5400 King James Way, Lot 2 CSM 5649 (*Plan*)

Rezone Request RZ-2077-15 by Bob Sieger, Agent for Crespt LLC, to Rezone from the A-T (Transitional Agriculture) and R-M (Residential – Medium Density) Districts to the R-H (Residential – High Density) and P-R (Park & Recreation) Districts, Property Along Anderberg Drive, Associated with 3046 & 3048 Anderberg Drive and a Possible Conditional Use Permit to Allow for More than Two Multi-Family Buildings per Lot (*Plan*)

C. **Public Safety & Human Services**

1. **Consideration of Change of Agent for Speedway, LLC. – DBA Speedway #4170 -**
Timothy J. Armstrong, 302 Madison Street, Marshall, WI 53559
2. **Temporary Operator Licenses: (Issuance Contingent upon Payment of all Fees Owed to City of Fitchburg)** Verona Road Business Coalition, Joyce Frey, Steven Leverentz
3. Lucas Glasgow, Store Director for Fitchburg Hy-Vee, located at 2920 Fitchrona Road, Fitchburg, WI, has requested a change in the premise description for Thursday, September 17, 2015 to allow for serving of alcohol in the east side of the parking lot for a Verona Road Business Appreciation Oktoberfest Fundraiser Event during the hours of 4:00 p.m. to 8:00 p.m.
4. **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 New applications.**

CLASS “A”/“CLASS A” FERMENTED MALT BEVERAGE & INTOXICATING LIQUOR
W.D.S. Inc., 5276 Williamsburg Way - DBA Liquor Town – Bill O’Connell, Agent

5. Motion by Poole, 2nd by Stern to **approve** the consent agenda.
Motion carried.

6. **ADMINISTRATOR’S REPORT**

- A. Attorney Sewell presented the general administrator report
- B. Report and Discussion on Benjamin Investments TIF Request, and Possible Direction by the Council to the Administrator

Attorney Sewell spoke regarding the TIF and gave background of the TIF request by Benjamin Investments.

Angela Kinderman, Executive Director of the Fitchburg Chamber of Commerce submitted a letter of support for the project.

Motion by Poole, 2nd by Gonzalez to direct the City Administrator and staff to move forward with the original numbers presented by Ehlers and Associates.

Roll Call Vote: Ayes: Gonzalez, Hartmann, Krause, Poole, Stern, Arata-Fratta, Carpenter
Nays: Johnson **Motion carried (7-1).**

7. **COMMISSION/COMMITTEE REPORTS**

A. **Plan Commission**

1. Motion by Poole, 2nd by Johnson to **approve Ordinance 2015-O-16** An Ordinance to Adopt the 2015 Amendments to the Comprehensive Plan for the City of Fitchburg in Dane County, Wisconsin
a. **Motion carried.**

2. Motion by Poole, 2nd by Krause to **approve Ordinance 2015-O-25** Zoning Ordinance Amendment Amending Specific Implementation Plan Zoning for Lots 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 50, 51, 52, 53, 54, 55 & 56, First Addition to Renaissance on the Park and Lots 76, 77, 78 & 79, Second Addition to Renaissance On The Park to Modify the Development Parameters, Including New House Designs, Garage Setbacks, Impervious Surface Calculations, and Porch Encroachments
 - a. **Motion carried.**

Poole requested unanimous consent to take up item #4.

4. Motion by Poole, 2nd by Johnson to **approve Resolution R-87-15** A Resolution Approving a Comprehensive Development Plan, CDP-2072-15, for Stoner Prairie Development (*Park*)
 - a. Chris Ehlers registered in support and to answer questions if needed.
 - b. **Motion carried.**
3. Motion by Poole, 2nd by Stern to **approve Ordinance 2015-O-26** Zoning Ordinance Amendment Approving Rezoning Request RZ-2076-15 by Ron Klaas, Agent for Sub-Zero Wolf Inc, to Rezone Lot 2 CSM 10031 from the R-D (Rural Development) to the I-G (General Industrial) District
 - a. Ron Klaas, representing Sub-Zero registered in support and to answer questions if needed.
 - b. **Motion carried.**
5. Motion by Poole, 2nd by Stern to **approve Resolution R-88-15** A Resolution Approving a Comprehensive Development Plan, CDP-2074-15, for Sub-Zero Wolf, Inc.
 - a. Ron Klaas, representing Sub-Zero registered in support and to answer questions if needed.
 - b. **Motion carried.**
6. Motion by Poole, 2nd by Carpenter to **approve Resolution R-89-15** A Resolution Approving Certified Survey Map Request CS-2075-15 by Ronald Klaas, Agent for Sub-Zero Wolf Inc., to Divide Property Associated with Lot 1 CSM 9217, Lots 1 & 2, CSM 10031, Lot 2 CSM 11021, Vacated/Discontinued Portion of Marketplace Drive and All of Bud's Drive, Into Three Lots and One Outlot, Along with New Street Dedication
 - a. Ron Klaas, representing Sub-Zero registered in support and to answer questions if needed.
 - b. **Motion carried.**

B. Board of Public Works

1. Motion by Krause, 2nd by Gonzalez to **approve Resolution R-81-15** General Beverage Permit for Parking within City Property (*TTC, Plan*)
 - a. Angela Kinderman, Executive Director of the Fitchburg Chamber of Commerce submitted a letter of support for the project.
 - b. Joel Minkoff and William Haus, representing General Beverage registered in support and to answer questions if needed. Joel answered questions from the Council.
 - c. Cindy Jaggi, representing the Verona Road Business Coalition spoke in support.
 - d. Motion by Poole, 2nd by Krause to **amend** and add the whereas clause as amended by the Plan Commission.
 - e. **Motion carried.**
 - f. Motion by Poole, 2nd by Stern to **add new condition #1** as added by Plan Commission.
 - g. **Motion carried.**
2. Motion by Krause, 2nd by Poole to **approve Resolution R-82-15** A Resolution Granting an Underground Electric Right-of-Way Grant to Madison Gas and Electric Company on Outlot 16, Nine Springs, City of Fitchburg, Wisconsin (*Plan*)
 - a. **Motion carried.**

3. Motion by Krause, 2nd by Carpenter to **approve Resolution R-84-15** A Resolution Accepting the 2014 Compliance Maintenance Annual Report for the Wastewater Collection System
 - a. **Motion carried.**

C. **Park Commission**

D. **Library Board**

E. **Commission on Aging**

F. **Resource Conservation Commission**

G. **Transportation & Transit Commission**

1. Motion by Gonzalez, 2nd by Carpenter to **approve Resolution R-78-15** Approving Transit Service Agreement between the City of Madison and the City of Fitchburg (*Finance*)
 - a. **Motion carried.**

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 111776 through 111867 dated August 20, 2015
Total \$729,917.59
2. Motion by Stern, 2nd by Poole to **approve Bills for \$25,000** or more, batch Dated August 20, 2015 - \$670,743.16
 - a. **Motion carried.**
3. Motion by Stern, 2nd by Arata-Fratta to **approve Resolution R-83-15** Amending 2015 Capital Projects, CEDA, and General Fund Budgets (*Library*)
 - a. Roll Call Vote: Ayes: Gonzalez, Hartmann, Johnson, Krause, Poole, Stern, Arata-Fratta, and Carpenter.
 - b. **Motion carried (8-0).**

B. **Personnel Committee**

C. **Public Safety & Human Services**

1. Motion by Poole, 2nd by Gonzalez to **remove from the table** the Operator Licenses needing special attention for Jewitt L. White-N
 - a. **Motion carried.**
2. Motion by Poole, 2nd by Gonzalez to **deny** the Operator Licenses needing special attention for Jewitt L. White-N as the applicant has withdrawn his application.
 - 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, August 26, 2015
 - B. Next Common Council Meeting, September 8, 2015
13. Motion by Stern, 2nd by Gonzalez to **adjourn**.
 - A. **Motion carried.** Time: 10:37 p.m.

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