



Administrative Offices
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**MINUTES
FITCBURG COMMON COUNCIL
NOVEMBER 10, 2015
7:30 P.M.
CITY HALL**

1. **CALL TO ORDER** - Mayor Arnold called the meeting to order at 7:35 p.m.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** Julia Arata-Fratta, Dan Carpenter, Jason Gonzalez, Tony Hartmann, Jake Johnson, Dorothy Krause, Carol Poole, Patrick Stern, and Mayor Arnold. Others Present: Patrick Marsh, City Administrator, Misty Dodge, Finance Director and Patti Anderson, City Clerk.
4. **PUBLIC APPEARANCES NON-AGENDA ITEMS / NEW APPOINTMENTS**
 - a. MaryKay Zimbrick registered and spoke regarding in opposition to amendments #59 and #60.
 - b. Karen Julesberg and Pauli Nikolay registered only in opposition to amendments #59 and #60.
 - c. David Halford registered only regarding the 2016 Budget. He expressed concerns regarding expenditure restraint programs for future budgets.
5. **CONSENT AGENDA**
 - A. **APPROVAL OF MINUTES** - October 27, 2015, and October 15, 2015 Joint Common Council & Fitchburg EMS District
 - B. **REFERRALS TO COMMISSIONS AND COMMITTEE**
 - Resolution R-122-15** Accepting Temporary Access Easement from Sub-Zero Group (*Plan*)
 - Resolution R-124-15** Approving the Future Vacation of Excess Right-of-Way on Anton Drive (*BPW, Plan*)
 - Resolution R-125-15** Approving First Amendment to License with New Singular Wireless PCS, LLC, for Modifications to Wireless Digital Communications Equipment on Tower E (*BPW, Finance*)
 - Resolution R-126-15** Amending 2015 General Fund Budget (*Finance*)
 - Conditional Use Permit Request CU-2084-15** by Jacob Nauta, Agent for Nauta Properties LLC, to Allow for Landscape Sales and Services on a Portion of Property Associated with 1839 CTH MM, Lot 1 CSM 12929(*Plan*)
 - C. **Public Safety & Human Services**
 1. Motion by Johnson, 2nd by Arata-Fratta to **approve** the consent agenda.
 2. **Motion carried.**
6. **ADMINISTRATOR'S REPORT**

Marsh presented the Administrators Report.
7. **COMMISSION/COMMITTEE REPORTS**
 - A. **Plan Commission**
 - B. **Board of Public Works**
 1. Motion by Krause, 2nd by Carpenter to **approve** **Resolution R-110-15** Final Resolution Exercising Police Powers and Levying Special Assessments for 2015 Curb and Gutter Replacement in the City of Fitchburg, Wisconsin (*Finance*)
 - a. **Motion carried.**

2. Motion by Krause, 2nd by Carpenter to **approve Resolution R-123-15** Quarry Vista Outlot 1 Acceptance – *Direct referral*
 - 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 **All Checks Issued and P-Card Transactions** General Checks 112223 through 112284 dated November 5, 2015 Total \$773,696.80
2. Motion by Stern, 2nd by Carpenter to **approve Purchases for \$25,000** or more, batch Dated November 5, 2015 - \$65,888.80
 - a. **Motion carried.**
3. Motion by Stern, 2nd by Hartmann to **approve Resolution R-113-15** Approving Contract Amendment with SEH for Architectural/Engineering Services a Geo-Thermal System for the West Fire Station Building (*Tabled from 10/27/2015 Meeting*)
 - a. **Motion carried.**
 - b. Motion by Stern, 2nd by Carpenter to reconsider previous motion - **Motion carried.**
 - c. Motion by Stern, 2nd by Poole to postpone until the Fire Station Oversight Committee has the chance to review the test well results.
 - d. **Motion carried.**
4. Motion by Stern, 2nd by Krause to **approve Resolution R-118-15** Recognizing the 2015 Build Application of the Anton Drive Infill Redevelopment Public Visioning and Committing to a Twenty Five Percent Local Match
 - a. **Motion carried.**
5. Motion by Stern, 2nd by Poole to **approve Resolution R-119-15** Approving Contract with MSA for Anton Drive Planning Study
 - a. **Motion carried.**
6. Motion by Stern, 2nd by Carpenter to **approve Resolution R-120-15** A Resolution Recommending an Audit Firm for the City's 2015 Audit
 - a. **Motion carried.**
7. **Resolution R-104-15** A Resolution Adopting the 2016 Annual City Operating Budget
 - a. Motion by Stern, 2nd by Carpenter to approve the 2016 Operating Budget.
 - b. Motion by Arata-Fratta, 2nd by Gonzalez to call the question.
 - b. Roll Call Vote to call the question: Ayes: Carpenter, Gonzalez, Poole, Stern, Arata-Fratta. Nay: Hartmann, Johnson, Krause.
 - c. **Motion failed (5-3).**

Budget Amendments

1. Hartmann **withdrew**- Reduce 2016 General Fund Expenditures to Reach ERP Threshold, -\$689,082
2. Motion by Krause, 2nd by Johnson to approve the Review of all City Fees and Permits, \$0
 - a. Roll Call Vote: Ayes: Hartmann, Johnson, Krause. Nays: Carpenter, Gonzalez, Poole, Stern, Arata-Fratta.
 - b. **Motion failed (5-3).**
3. Motion by Stern, 2nd by Carpenter to approve the Increase Park and Recreation Fees, +\$10,000
 - a. **Motion carried.**

4. Motion by Stern, 2nd by Carpenter to approve the Remove Mayoral Travel and Seminars, -\$1,500
 - a. Motion by Johnson, 2nd by Hartmann to amend the prior budget amount to \$500.
 - b. Roll Call Vote on amended amount: Ayes: Carpenter, Hartmann, Johnson, Krause, Poole, Stern, Arata-Fratta, Nay: Gonzalez.
 - c. **Motion carried (7-1).**
 - d. Vote on Main Motion - **Motion carried.**
5. Carpenter **withdrew** -Remove Mayoral Travel and Seminars, -\$1,500
6. Motion by Gonzalez, 2nd by Stern to approve the Removal of Court Liaison Additional Hours, -\$7,204
 - a. **Motion carried.**
7. Motion by Gonzalez, 2nd by Carpenter to approve the Elimination of Court Liaison Position, -\$32,817
 - a. Roll Call Vote: Ayes: Carpenter, Gonzalez. Nay: Hartmann, Johnson, Krause, Poole, Stern, Arata-Fratta.
 - b. **Motion failed (6-2).**
8. Motion by Stern, 2nd by Poole to approve the Reduction of LTE Staff for Presidential Election, -\$840
 - a. Roll Call Vote: Ayes: Gonzalez, Poole, Stern, Arata-Fratta. Nay: Carpenter, Hartmann, Johnson, Krause.
 - b. **Vote (4-4), Mayor's vote: Nay**
 - c. **Motion failed.**
9. Motion by Gonzalez, 2nd by Carpenter to approve the Reduction of Recruitment Specialist Back to .5 FTE, -\$6,996
 - a. Roll Call Vote: Ayes: Carpenter, Gonzalez, Hartmann, Johnson, Krause, Poole, Arata-Fratta. Nay: Stern.
 - b. **Motion carried (7-1).**
10. Johnson **withdrew** - Reduce Recruitment Specialist Back to .5 FTE, -\$6,996
11. Hartmann **withdrew** - Reduce Recruitment Specialist Back to .5 FTE, -\$6,996
12. Carpenter **withdrew** Reduce Recruitment Specialist Back to .5 FTE, -\$6,996
13. Poole **withdrew** - Reduce Recruitment Specialist Back to .5 FTE, -\$6,996
14. Motion by Poole, 2nd by Arata-Fratta to approve a reduced amount for Outsourced Payroll Processing to \$12,000
 - a. **Motion carried.**
15. Motion by Arata-Fratta, 2nd by Stern to approve the Removal of Additional Sustainability Specialist Hours, -\$6,243
 - a. Motion by Gonzales, 2nd by Poole to extend debate - **Motion carried.**
 - b. Roll Call Vote: Ayes: Gonzalez, Poole, Stern, Arata-Fratta. Nay: Carpenter, Hartmann, Johnson, Krause. Tie Vote - Mayor's vote: Nay.
 - c. **Motion failed.**
16. Stern **withdrew** - Remove Additional Sustainability Specialist Hours, -\$6,243
17. Motion by Poole, 2nd by Arata-Fratta to approve the Removal of Additional Sustainability Specialist Hours, -\$6,243
 - a. Roll Call Vote: Carpenter, Gonzalez, Poole, Stern, Arata-Fratta. Nay: Hartmann, Johnson, Krause.
 - b. **Motion carried.**
18. Motion by Hartmann, 2nd by Johnson to approve the Increase of Sustainability Specialist Hours to .75 FTE, +\$9,237
 - a. Roll Call Vote: Ayes: Carpenter, Hartmann, Johnson, Krause. Nay: Gonzalez, Poole, Stern, Arata-Fratta. Tie Vote – Mayor's Vote: Aye.
 - b. **Motion carried.**
19. Motion by Arata-Fratta, 2nd by Stern to approve the Removal of Sustainability Management Consult Fees, -\$19,500
 - a. **Motion carried.**

20. Motion by Stern, 2nd by Poole to approve the Elimination of Sustainability Management Training, -\$20,500
 - a. Roll Call Vote: Ayes: Carpenter, Gonzalez, Poole, Stern. Nay: Hartmann, Johnson, Krause, Arata-Fratta.
 - b. **Vote (4-4), Mayor's vote: Nay**
 - c. **Motion failed.**
21. Poole **withdrew** - Eliminate Sustainability Management Training, -\$20,500
22. Carpenter **withdrew** Remove Public Works Shared Energy Benchmarking Position, -\$1,444
23. Poole **withdrew** – Remove Public Works Shared Energy Benchmarking Position, -\$1,444
24. Motion by Stern, 2nd by Poole to approve to Postpone Investment RFP Consultant, -\$10,000
 - a. **Motion carried.**
25. Poole **withdrew** – Postpone Investment RFP Consultant, -\$10,000
26. Motion by Johnson, 2nd by Hartmann to Increase the amount by \$5,000 from where it currently exists - Investment RFP Consultant Budget
 - a. **Motion failed.**
27. Motion by Stern, 2nd by Poole to approve Worker's Comp Adjustment – Revised Mod Factor Estimate, -\$25,000
 - a. **Motion carried.**
28. Motion by Arata-Fratta, 2nd by Stern to approve to Consider PFP Cost after Personnel Committee Review, \$0
 - a. Motion by Gonzalez, 2nd by Hartmann to extend debate - **Motion carried.**
 - b. Motion by Poole, 2nd by Hartmann to extend debate - **Motion carried.**
 - c. **Motion failed.** (Stern abstained, Hartmann passed)
29. Motion by Arata-Fratta, 2nd by Gonzalez to approve to Provide Funding to Aid Badger Prairie Needs Network, +\$10,000
 - a. Motion by Poole, 2nd by Gonzalez to extend debate - **Motion carried.**
 - b. Motion by Gonzalez, 2nd by Poole to extend debate - **Motion carried.**
 - c. Vote on Main Motion - **Motion carried.**
30. Krause **withdrew** - Provide Funding to Aid Badger Prairie Needs Network, +\$10,000
31. Motion by Arata-Fratta, 2nd by Carpenter to approve to Remove New Police Detective Position, -\$108,960
 - a. **Motion carried** (Hartmann abstained, Poole-No).
32. Carpenter **withdrew** – Remove New Police Detective Position, -\$108,960
33. Krause **withdrew** – Crime Reduction – Funded by Removing Detective, -\$108,960
34. Gonzalez **withdrew**– Start New Police Detective as of July 1, 2016, -\$51,892
35. Motion by Stern, 2nd by Poole to approve the Gas Price Adjustment, -\$7,625
 - a. **Motion carried.**

9:37 p.m. - Stern requested unanimous consent to take a 5 minute break
 Reconvened meeting at 9:42 p.m.

36. Motion by Arata-Fratta, 2nd by Hartmann to approve the Removal of Two New Firefighter Positions, -\$116,451
 - a. Motion by Gonzalez, 2nd by Hartmann to extend debate – **Motion carried.**
 - b. Roll Call Vote: Ayes: Arata-Fratta. Nay: Carpenter, Gonzalez, Hartmann, Johnson, Krause, Poole, Stern
 - c. **Motion failed (7-1).**
37. Motion by Stern 2nd by Arata-Fratta to approve the Removal of One of the Two New Firefighter Positions, -\$56,186
 - a. Roll Call Vote: All Nays
 - b. **Motion failed (8-0).**

38. Motion by Gonzalez, 2nd by Stern to approve the Start of Two New Firefighters as of July 1, 2016, -\$47,111
 - a. Motion by Hartmann to move up the start date to April 1st. Failed for lack of a 2nd.
 - b. Roll Call Vote: Ayes: Carpenter, Gonzalez, Hartmann, Johnson, Krause.
Nay: Poole, Stern, Arata-Fratta.
 - c. **Motion carried (5-3).**
 - d. Motion by Poole, 2nd by Gonzalez to reconsider the vote. **Motion carried.**
 - e. Roll Call Vote on the main motion: Ayes: Johnson. Nay: Carpenter, Gonzalez, Hartmann, Krause, Poole, Stern, Arata-Fratta.
 - f. **Motion failed (7-1).**
39. Stern **withdrew**– Remove Fire Emergency Medical Responder Training, -\$12,000
40. Krause **withdrew** – Add Community Paramedics, +\$24,981
41. Motion by Poole, 2nd by Arata-Fratta to approve the Removal of Additional Public Works Streets LTE Hours, -\$6,903
 - a. **Motion carried.**
42. Motion by Stern, 2nd by Poole to approve the Removal of East-West Bus Route, -\$28,000
 - a. Motion by Hartmann, 2nd by Carpenter to extend debate - **Motion carried.**
 - b. Roll Call Vote: Ayes: Gonzalez, Poole, Stern. Nay: Carpenter, Hartmann, Johnson, Krause, Arata-Fratta.
 - c. **Motion failed (5-3).**
43. Motion by Poole, 2nd by Stern to approve the Removal of East-West Bus Route, -\$28,000
 - a. Motion by Hartmann, 2nd by Carpenter to extend debate - Roll Call Vote: Ayes: Carpenter, Gonzalez, Hartmann, Johnson, Krause, Arata-Fratta. Nay: Poole, Stern. **Motion carried.**
 - b. Roll Call Vote: Ayes: Poole, Arata-Fratta. Nay: Carpenter, Gonzalez, Hartmann, Johnson, Krause, Stern.
 - c. **Motion failed (6-2).**
44. Motion by Arata-Fratta, 2nd by Stern to approve Adding Clause to East-West Bus Route re: Pilot Program, \$0
 - a. Motion by Krause, 2nd by Hartmann to extend debate – **Motion failed.**
 - b. Roll Call Vote: Ayes: Carpenter, Gonzalez, Hartmann, Johnson, Arata-Fratta. Nay: Krause, Poole, Stern.
 - c. **Motion carried (5-3).**

Motion by Hartmann, 2nd by Carpenter to move amendments #59 & 60 – **Motion carried.**

59. Johnson **withdrew** – Reduce New Outreach Librarian from 1 FTE to .75 FTE, -\$19,464
60. Gonzalez **withdrew** – Start New Outreach Librarian as of July 1, 2016, -\$40,240
45. Krause **withdrew** - Add Issuance of Metro Transit RFP for Transit Options, +\$28,500
46. Motion by Krause, 2nd by Hartmann to approve to Add Additional Part-Time Senior Center Receptionist, +\$17,762
 - a. Roll Call Vote: Ayes: Hartmann, Johnson, Krause. Nay: Carpenter, Gonzalez, Poole, Stern, Arata-Fratta.
 - b. **Motion failed (5-3).**
47. Motion by Krause, 2nd by Hartmann to approve to Add City Programming at the Boys & Girls Club, +\$13,500
 - a. Motion by Johnson, 2nd by Hartmann to amend the amount to \$5,000.
 - b. Motion by Poole, 2nd by Hartmann to reconsider extension of debate – **Motion carried.**
 - c. **Motion to amend failed.**
 - d. Motion by Krause, 2nd by Hartmann to amend to take the levy amount to \$2,000.
 - e. Roll Call Vote: Ayes: Hartmann, Johnson, Krause, Poole. Nay: Carpenter, Gonzalez, Stern, Arata-Fratta.
 - f. **Vote (4-4), Mayor's vote: Aye**
 - g. **Motion carried (5-4).**

- h. Roll Call Vote on main motion as amended. Ayes: Carpenter, Hartmann, Johnson, Krause, Poole. Nay: Gonzalez, Stern, Arata-Fratta.
- j. **Motion carried (5-3).**
- 48. Carpenter **withdrew** – Remove Parks/Public Works Additional LTE Hours, -\$1,401
- 49. Motion by Stern, 2nd by Carpenter to approve to Reinstate Contracted Median Mowing, -\$2,508
 - a. **Motion carried.**
- 50. Carpenter **withdrew** - Reinstate Contracted Median Mowing, -\$2,508
- 51. Motion by Krause, 2nd by Poole to approve the Dunn’s Marsh Recreation Connection Feasibility Study, +\$5,000
 - a. **Motion failed.**

10:55 p.m. Motion by Stern, 2nd by Carpenter to extend the meeting 1 hour. **Motion carried.**

- 52. Motion by Johnson, 2nd by Krause to approve to Reduce the Nine Springs Year-Round Contract Increase by Half, -\$5,000
 - a. Roll Call Vote: Ayes: Johnson, Krause. Nay: Carpenter, Gonzalez, Hartmann, Poole, Stern, Arata-Fratta.
 - b. **Motion failed (6-2).**
- 53. Motion by Krause, 2nd by Hartmann to approve the Addition to Belmar Park Improvements and Neighborhood Study, +\$5,050
 - a. **Motion failed.**
- 54. Krause **withdrew** – Add Additional Picnic Tables, +\$3,000
- 55. Krause, **withdrew** – Add King James Park Privacy Fence, \$0
- 56. Krause, **withdrew** – Add Park Signage, +\$7,500
- 57. Motion by Poole, 2nd by Stern to approve to Remove Utilities for House on Irish & Fish Hatchery, -\$1,000
 - a. **Motion carried.**
- 58. Motion by Krause, 2nd by Hartmann to approve the Addition of Community Improvement Fund, +\$20,000
 - a. Motion by Krause, 2nd by Hartmann to change the amount to \$10,000
 - b. **Motion failed.**
 - c. Vote on main motion
 - d. **Motion failed.**
- 61. Motion by Arata-Fratta, 2nd by Johnson to approve to Amend CIP #1030 Logo Implementation & Wayfinding, -\$30,000
 - a. Motion carried.
- 62. Motion by Arata-Fratta, 2nd by Poole approve to Reduce CIP #6302 City Campus Building Systems Replace, -\$43,000
 - a. Motion by Hartmann, 2nd by Poole to extend debate – **Motion carried.**
 - b. Roll Call Vote: Ayes: Gonzalez, Poole, Arata-Fratta. Nay: Carpenter, Hartmann, Johnson, Krause. Stern abstained.
 - c. **Motion failed (4-3).**
- 63. Motion by Arata-Fratta, 2nd by Stern to approve to Defer CIP #2136 Police Fleet Vehicle Replacement #64, -\$29,000
 - a. Roll Call Vote: Ayes: Gonzalez, Krause, Poole, Arata-Fratta. Nay: Carpenter, Hartmann, Johnson, Stern.
 - b. **Vote (4-4), Mayor’s vote: Nay**
 - c. **Motion failed.**
- 64. Motion by Arata-Fratta, 2nd by Poole to approve to Postpone CIP #3101 Plow Truck, -\$160,000
 - a. **Motion carried.**
- 65. Motion by Stern, 2nd by Poole to approve to Change Funding Source for Nine Springs Shelter Upgrades, \$0
 - a. Motion by Hartmann, 2nd by Poole to extend debate - **Motion carried.**
 - b. **Motion carried.**
- 66. Motion by Stern, 2nd by Poole to approve to Eliminate Remaining City Campus Retro-Commissioning, \$0
 - a. **Motion failed.**

- 67. Motion by Arata-Fratta, 2nd by Poole to approve to Move Anton Drive Planning Study to TID #6, \$0
 - a. **Motion carried.**
- 68. Motion by Arata-Fratta, 2nd by Stern to approve to Remove Envision Maple Lawn Heights Consultant, -\$25,000
 - a. Roll Call Vote: Ayes: Arata-Fratta. Nay: Carpenter, Gonzalez, Hartmann, Johnson, Krause, Poole, Stern.
 - b. **Motion failed.**
- 69. Motion by Stern, 2nd by Carpenter to approve to Identify Envision Maple Lawn Heights Study Area, \$0
 - a. **Motion carried.**

11:52 p.m. Motion by Carpenter, 2nd by Stern to extend the meeting 1 hour. **Motion carried.**

- 70. Motion by Carpenter, 2nd by Gonzalez to approve the Removal of Additional Public Works Engineering Technician, -\$84,851
 - a. Roll Call Vote: Ayes: Carpenter, Gonzalez, Poole, Stern, Arata-Fratta. Nay: Hartmann, Johnson, Krause.
 - b. **Motion carried (5-3).**
- 71. Stern **withdrew** – Change Presentation of Fund Balance Used for Fire Station, \$0
- 72. Stern **withdrew** – Change Presentation of Staff Time Spent on Other Funds, \$0

Finance Director, Misty Dodge presented an overview of the Omnibus portion of the budget.

- 8. A. 7. Roll Call Vote to **approve as amended Resolution R-104-15** A Resolution Adopting the 2016 Annual City Operating Budget as amended.
Ayes: Hartmann, Johnson, Krause. Nay: Carpenter, Gonzalez, Poole, Stern, Arata-Fratta.
Motion failed (5-3).
- B. **Personnel Committee**
 - 1. Motion by Gonzalez, 2nd by Carpenter to refer back to the City Attorney **Ordinance 2015-O- 31** An Ordinance Amending Chapter 14 to Amend Article 3 Section 14-63(a) and Create Article 3 Section 14-63(a)(1) and Article 3 Section 14-63(a)(2)
 - a. **Motion carried.**

C. **Public Safety & Human Services**

- 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**
- 13. Motion by Stern, 2nd by Gonzalez to **adjourn.**
 - A. **Motion carried.** Time: 12:26 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