

**CITY OF VERONA**

**MINUTES**

**COMMON**

**COUNCIL**

**August 12, 2019**

**Verona City Hall**

1. Mayor Diaz called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance
3. Roll call: Alderpersons Kate Cronin, Charlotte Jerney, Chad Kemp, Katie Kohl and Christine Posey and Heather Reekie were present. Also present: Interim City Administrator Adam Sayre, City Attorney Bryan Kleinmaier, Human Resources Coordinator Mitchell Weckerly, Public Works Director Theran Jacobson, Economic Development Manager Dayna Sarver, AECOM Traffic Engineer Jess Billmeyer, AECOM Engineer Carla Fischer, and City Clerk Ellen Clark. Alderperson Touchett was absent, but expected at the meeting. Alderperson Gaskell was absent and excused.
4. Public Comment: None
5. Approval of minutes from the July 22, 2019 Common Council meeting. Motion by Kohl, seconded by Kemp, to approve the minutes of the July 22, 2019 Common Council meeting Motion carried 6-0.
6. Mayor's Business:
  - A. American Legion Day Proclamation  
Mayor Diaz read a proclamation recognizing the Verona Mason-Lindsay American Legion Post and the 100<sup>th</sup> anniversary of the American Legion, and proclaiming August 18, 2019 as American Legion Day in the City of Verona.

7:03 p.m. – Evan Touchett now present.

- B. Presentation by the Police and Fire commission Chair regarding Fire Chief recruitment  
Police and Fire Commission Chair, DeLora Newton, explained the Police and Fire Commission's Fire Chief recruitment process. The Common Council sets the salary and benefit package, while the Police and Fire Commission does the hiring. The process began on August 1, 2019, with applications due on September 8, 2019. The Commission is requesting input from the Common Council and the Mayor during the hiring process. Human Resources Coordinator, Mitch Weckerly, has also asked for feedback from current staff regarding job related competencies deemed most desired for the Verona Fire Chief. The Common Council, City Staff and the public will be invited to an informal meet-and-greet with the final candidates.
7. Announcements:
  - As a retired member of the United States Army, Alderperson Jerney thanked the Mayor for the American Legion Day proclamation, and thanked the members of the American Legion and the armed services for their service to the country.

## 8. Administrator's Report:

- The Community Development Authority will meet on August 22<sup>nd</sup> at 7 p.m. Concept plans for the Sugar Creek Elementary School property will be presented. An open house will also be held for the public to view and comment on the concept plans.
- Epic's User Group Meeting will be held August 26<sup>th</sup> – 29<sup>th</sup>.
- 2019's net new construction estimates show a 1.56% increase from 2018. This is in comparison to increases in previous years of 3.86% in 2018, 7.53% in 2017 and 9.67% in 2016.
- The last day Fireman's Park beach will be open is August 25<sup>th</sup>. The splash pad will stay open a week or two past Labor Day, depending on outdoor temperatures.

## 9. Engineer's Report:

- Well 6 Pumping Station Construction: Air development is complete. Test pumping equipment is next to be installed.
- Verona Area High School: Construction has started on the traffic improvement project. Traffic signals at W. Verona Avenue & West End Circle have been turned off and the traffic control placed for stage 1 of the W. Verona Avenue construction.
- CTH M Reconstruction: Sanitary sewer and watermain installation for the City is complete.

## 10. Committee Reports

### A. Finance Committee

- (1) Discussion and Possible Action Re: Payment of bills. Motion by Kemp, seconded by Cronin, to pay the bills in the amount of \$1,476,967.73. Motion carried 7-0.

### B. Plan Commission

- (1) Discussion and Possible Action Re: Resolution No. R-19-036 approving a Conditional Use Permit for a community information sign to be located at the southeast corner of West Verona Avenue and West End Circle. Motion by Touchett, seconded by Kohl, to approve Resolution No. R-19-036 approving a Conditional Use Permit for a community information sign to be located at the southeast corner of West Verona Avenue and West End Circle, with the following conditions:

1. The conditional use permit shall become effective upon the VASD and the City executing a Property Use Agreement.
2. The proposed conditional use permit shall be in compliance with the Property Use Agreement.

Sayre explained that the proposed sign would be located on City owned property. A condition of approval will require the VASD to enter into this agreement with the City. This property use agreement will handle, among other things, the stormwater pipe extension, sanitary sewer concerns, and future utility maintenance.

Reekie asked if the sign will cause visibility issues for drivers.

Sayre replied the sign is set back a considerable distance from the road, so there should be no visibility issues.

Diaz stated it has been made clear to the school district that the City will have access to the site should there be any need to make repairs to the City's utilities beneath the sign.

Motion carried 7-0.

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

- (1) Discussion and Possible Action Re: Change Order No. 1 for Project 2018-107 CTH M/Liberty Drive Traffic Signals. Motion by Touchett, seconded by Kemp, to approve Change Order No. 1 for Project 2018-107 CTH M/Liberty Drive Traffic Signals in the amount of \$3,597.00. Change order No. 1 is to rectify lighting quantities for the work completed to date. Final contract value is \$579,708.96. Motion carried 7-0.
- (2) Discussion and Possible Action Re: Lease agreement with Verizon for the water tower at 1252 Hemlock Drive. Motion by Touchett, seconded by Kemp, to approve the lease agreement with Verizon for the water tower at 1252 Hemlock Drive, contingent upon legal review of the lease agreement. This lease agreement follows the City lease format executed with other carriers currently located on City facilities. The lease includes a 5-year term and renewal for four additional successive 5-year terms unless tenant provides landlord with written notice. Upfront cost for execution of the lease is \$16,100, and the base monthly rent is \$2,300 with a 3% annual escalation. Motion carried 7-0.
- (3) Discussion and Possible Action Re: Ordinance No. 19-940 creating section 6-2-18 of the Code of Ordinances, City of Verona, Wisconsin, relating to cluster mailboxes.

Touchett explained the United States Postal Service (USPS) will discontinue delivery of mail to individual mailboxes for single-family residences, and will instead require cluster mailboxes located within neighborhoods. This ordinance explains the requirements for a cluster mailbox. There is a safety concern in the winter. People have had to climb over mounds of snow to get to their mailboxes. Touchett has concerns about the safety of City residents trying to get to their mailboxes. The committee determined that until the City has plans in place to provide for proper snow removal around these mailboxes, it will not be comfortable approving this ordinance. Therefore, this item was tabled by the Public Works/Sewer and Water Committee.

Kohl asked what will happen if we do not pass this ordinance.

Sayre replied no matter what the Common Council does, it will be required by the Postal Service. No one wants it, but it is being put in place to improve the efficiency of the Postal Service. This has been transitioning over the years, with more

mailboxes being put on each post. Staff will talk to the Postal Service to get some details about their requirements for the cluster mailboxes.

- (4) Discussion and Possible Action Re: Agreement with Dane County for construction of CTH M. Motion by Touchett, seconded by Cronin, to approve an agreement with Dane County for construction of CTH M.

Touchett explained that this project is being done by the Wisconsin Department of Transportation (WisDOT), with the City of Verona and Dane County sharing the cost. Due to an accounting error on the part of WisDOT, they were charging the City for Dane County's portion of the bill, as well. With this agreement, the City will be allowed to bill Dane County directly for the amounts that have been incorrectly billed to the City by WisDOT. Motion carried 7-0.

#### **D. Personnel Committee**

- (1) Discussion and Possible Action Re: Amendments to City Administrative Policy #4 – Personnel Policy, regarding tuition reimbursement.

Sayre explained that amendments to the tuition reimbursement policy include updates to the eligibility requirements, the establishment of procedure for employees to request tuition reimbursement, and a provision that would require employees who voluntarily terminate employment within two years of receiving tuition reimbursement to repay the City a portion of the funds received. The maximum amount an employee can receive is \$600 per budget year. The department head will have to sign off on the tuition reimbursement request.

Touchett would like to add that the department head must deem the course to be appropriate to the employee's role.

Weckerly explained department head approval is one of the first steps in the reimbursement process. It is addressed in the procedural area of the policy. It could be included in the eligibility section of the policy, as well.

Motion by Touchett, seconded by Jerney, to approve the amendments to City Administrative Policy #4 – Personnel Policy, regarding tuition reimbursement with the addition of the requirement for department head approval of the course as appropriate to the employee's role.

Posey asked where the money for the reimbursements will be coming from.

Sayre replied it will be a line item. We want the employee to talk to the department head ahead of time, so the money can be placed in the budget for the following year. Historically, tuition reimbursements are not a common occurrence.

Jerney explained that the course work would apply directly to the employee's position with the City.

Motion carried 7-0.

Mayor Diaz asked for unanimous consent for the Common Council to take up Item 11.A. last. There were no objections.

## 12. New Business

### A. Discussion and Possible Action Re: Verona Area School District Transportation Project Scope and Cost Analysis of Estimates vs Bid Results.

Jacobson explained that City Staff and the Verona Area School District (VASD) met on May 2<sup>nd</sup>, 2019 to discuss VASD bid results for the transportation public improvement project for the new high school. As part of the preparation and execution of the Developer's Agreement between VASD and the City, estimates prepared by City Staff and AECOM estimated the overall cost of the project to be \$9.3 million with contingencies. The base bid for the project came in at \$6.8 million. That included \$500,000 in necessary water main improvements that will benefit VASD property. That \$500,000 was not included in the traffic allocation models. We are really, then, comparing an estimate of \$9.3 million to a bid amount of \$6.3 million. The estimates done by the City and AECOM were based on planning level documents. Contingencies have to be added to any project estimates.

Billmeyer stated Staff recommends that the original scope of the transportation public improvements be maintained. The City's plan provides for public safety and connectivity. The City did find some reductions that could save the school district some money without affecting the ultimate goals of the project. Those items are: reducing the amount of landscaping along the streets, removing the temporary traffic signal at West End Circle and West Verona Avenue, moving some hard wire connections between the signals adjacent to West End Circle, and removing the dimming for the street lighting. These reductions saved about \$200,000.

Kemp asked what VASD wants the City to do at this point.

Jacobson replied VASD would like the City to reduce the scope of the project to save money. They feel there are items that can be removed, as they are outside the original scope of the project.

Kemp asked how the items that are being removed will affect public safety.

Jacobson replied the items that VASD asked to be removed are still in the construction package. The items that the City identified as being able to be removed do not affect public safety.

Touchett asked if the \$9.3 million estimate was ever shared with VASD.

Theran replied yes, in late February of 2018. We did not get any comments from the school district at that time.

Touchett asked what things the school district wanted pulled.

Jacobson replied one is the pavement replacement on West Verona Avenue between West End Circle and Nine Mound Road. They would also like to pull the widening of West Verona Avenue with south side bike path and sidewalk, and the westbound left

turn lane to the school district entrance. The City will not allow the sidewalk to be removed.

Posey stated this is a very busy area, and will only be busier in the future. All of the items in the original plan seem necessary for safety reasons. She asked if VASD wants the cost of the items they are asking to be removed to shift to the City, or if they think they are not necessary.

Jacobson replied he believes they are identifying areas that they feel can be reduced. City Staff does not agree.

Posey asked if everyone was aware of the scope of the project in 2018.

Billmeyer replied yes, it was in the Developer's Agreement that was signed.

Diaz thanked everyone that worked to help reduce costs. The sidewalk is essential and should not be removed. This has all been in the Developer's Agreement from the beginning. It would have been better to hear their concerns earlier than to hear them this late in the game.

Kemp stated that the idea of removing a sidewalk is frustrating and short-sighted. This was reviewed before the agreement was signed. These items were in the agreement. We cannot sacrifice the safety of children because of these kinds of oversights.

Mayor Diaz took Item 12.C. out of order.

- C. Discussion and Possible Action Re: Approval of operator licenses. Motion by Reekie, seconded by Kemp, to approve the operator licenses as presented by the City Clerk. Motion carried 7-0.
- B. Discussion and Possible Action Re: Potential development and use of public funds for a development project to be located at the southeast corner of Whalen Road and Liberty Drive located in Liberty Business Park.

*The Common council may convene in 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 require a closed session. The Common Council may reconvene in open session and take action on this item.*

Sayre explained that Affiliated Construction Services (ACS) is proposing to construct a new headquarters facility to be used for manufacturing engine testing equipment at the southeast corner of Whalen Road and the future extended Liberty Drive. ACS has requested tax incremental financing (TIF) for this project. Staff would like to discuss this matter with the Common Council in closed session.

Motion by Kohl, seconded by Cronin, to convene in 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 require a

closed session. The Common Council may reconvene in open session and take action on this item. On roll call: Alder Jerney – Aye; Alder Kemp – Aye; Alder Kohl – Aye; Alder Posey – Aye; Alder Reekie – Aye; Alder Touchett – Aye; Alder Cronin – Aye. Motion carried 7-0. The Common Council convened in closed session at 8:02 p.m. Economic Development Manager Dayna Sarver and City Attorney Bryan Kleinmaier remained for the closed session.

#### CLOSED SESSION

Motion by Touchett, seconded by Kemp, to reconvene in open session at 8:27 p.m. Motion carried 7-0. No action was taken by the Common Council in closed session.

#### 11. Old Business

- A. Discussion and Possible Action Re: Discuss background of City Administrator candidate. If necessary, discuss consideration of other possible candidates.

Weckerly explained that City Staff continues to work on the City Administrator recruitment. The background check is now complete, and the Common Council will be making a decision as to whether or not we should move with the current candidate, and any other next steps in the process. Staff is requesting a closed session discussion to provide an update on the recruitment process to the Common Council and to hear the Common Council's recommendations for moving forward with the process.

Motion by Touchett, seconded by Kemp, to convene in a closed session for discussion and possible action regarding City Administrator recruitment as authorized by Section 19.85(1)(c) of the Wisconsin Statutes to consider employment, promotion, compensation or performance evaluation data of any public employee subject to the jurisdiction or authority of the City of Verona. 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 Kemp – Aye; Alder Kohl – Aye; Alder Posey – Aye; Alder Reekie – Aye; Alder Touchett – Aye; Alder Cronin – Aye; Alder Jerney – Aye. Motion carried 7-0. The Common Council convened in closed session at 8:31 p.m. Human Resources Coordinator Mitchell Weckerly and City Attorney Bryan Kleinmaier remained for the closed session.

#### CLOSED SESSION

Motion by Touchett, seconded by Kohl, to reconvene in open session at 9:11 p.m. Motion carried 7-0.

Mayor Diaz stated the City Council has decided to close the current process without selecting a candidate. The City did a thorough search, and while the candidate pool contained a variety of strong candidates, the City Council ultimately decided that none of the candidates were a good fit with the City of Verona. He thanked all the candidates for their interest in the position and in the City of Verona. The Common Council will be considering some of our other potential options, and hope to come to a decision at the next Common Council meeting.

13. Adjournment:

Motion by Touchett, seconded by Kemp, to adjourn at 9:13 p.m. Motion carried 7-0.

Ellen Clark  
City Clerk