

REGULAR MEETING OF THE COMMON COUNCIL
CITY OF HUDSON
September 4, 2018

The Common Council meeting was called to order by Mayor Rich O'Connor at 7:00 p.m. Mayor O'Connor led those present in the Pledge of Allegiance.

PRESENT: Mayor Rich O'Connor, Randy Morrissette II, Bill Alms, Paul Deziel, Jim Webber, Sarah Atkins-Hoggatt and Joyce Hall.

OTHERS PRESENT: Devin Willi, Catherine Munkittrick, Brenda Malinowski, Jennifer Rogers, Mike Mroz, David Schofield, Richard Morris, Nick Vivian, Ryan Cari, Cathy Tucci, Jeff Tucci, Tom Nielsen, Dan Burke, Doug Rowen, Ron Howard and many others present.

Mayor O'Connor announced that there will not be a public hearing to rezone a 5.54 acre portion of St. Croix County tax parcel 040-1025-70-00 and also pulled Item#12, Closed Session from the agenda. Mayor O'Connor introduced the new Public Works Director, Mike Mroz.

PUBLIC HEARING to amend the City of Hudson Municipal Code, Chapter 99, Animals- To allow beekeeping in the City of Hudson.

Mayor O'Connor opened the public hearing at 7:03 p.m.

Questions were raised by Sharon Buffington regarding the fees, notification requirements to the neighbors, location of the hives in relation to the property and the allowable duration of the divide. She went on to clarify the purpose of having a divide.

Catherine Cross explained in further detail the purpose of having a divide.

No other public comment was received.

Motion: Morrissette made a motion, seconded by Hall, to close the public hearing at 7:12 p.m.

Discussion: Morrissette asked City Attorney, Catherine Munkittrick if current beekeepers would be grandfathered in. Catherine replied that she believes the idea of this ordinance is to bring all beekeepers into compliance with this ordinance and provide regulations for ongoing maintenance of bees. She suggested doing a first reading instead of passing the ordinance and seek Mike Johnson's input on this ordinance.

Vote: All ayes (6) Motion carried.

Motion: Morrissette made a motion, seconded by Hall, to approve the first reading of Ordinance 21-18.

Discussion: None **Vote:** All ayes (6) Motion carried.

PUBLIC HEARING on a property rezoning application submitted by LandDevCo of Hudson, LLC to rezone a 13.57 acre portion of St. Croix County tax parcel 040-1025-70-000 from the temporary zoning classification of AR, Agriculture Residential to RM-1, Multiple Family Residential and amend the City of Hudson comprehensive plan land use designation from Single and Two Family Residential and General Commercial to Medium Density Residential.

Mayor O'Connor opened the Public Hearing at 7:15 p.m.

Several residents who spoke against rezoning the property due to an increase in population density, difficulties with egress and access to property and increased traffic flow. There was also questions as to whether or not the proposed land use is the best use of the land.

Motion: Morrisette made a motion, seconded by Hall, to close the public hearing at 7:28 p.m.

Vote: All ayes (6) Motion carried.

PUBLIC HEARING on a property rezoning application submitted by LandDevCo of Hudson, LLC to rezone St. Croix County tax parcel 040-1025-70-000 from the temporary zoning classification of AR, Agriculture Residential to R-1, One-Family Residential. The 21.1 acres m/l of property, previously located in the Town of Troy, is generally locates south of Mayer Road and north of Riverview Drive. The property is located within the Lower St. Croix Riverway Rural Residential Management Zone and is subject to the requirements of the City of Hudson Riverway Code and the State of Wisconsin NR118.

Mayor O'Connor opened the Public Hearing at 7:30 p.m.

Several residents who spoke against rezoning the property due to an increase in population density, difficulties with egress and access to property and increased traffic flow.

David Schofield, an SEH engineer, answered questions from council and stated that the property in discussion will comply with DNR NR 118. Approximately 18 homes will be allowed on the 21.1 acres of land; anything over 18 homes will require a conditional use permit.

Nick Vivian, an attorney for LandDev Co. of Hudson, LLC, responded to questions and concerns regarding the issues brought up by the public.

Motion: Morrisette made a motion, seconded by Alms, to close the Public Hearing at 7:40 p.m.

Vote: All ayes (6) Motion carried.

Ordinance 23-18: Ordinance Rezoning a 13.57 acre portion of St. Croix County tax parcel 040-1025-70-000 from the temporary zoning classification of AR, Agriculture Residential to RM-1, Multiple Family Residential and amend the City of Hudson comprehensive plan land use designation from Single and Two Family Residential and General Commercial to High Density Residential.

Morrisette conveyed that the Plann Commission recommended approving both the zoning map amendment and the comprehensive plan amendment as the plans submitted were found to be consistent with the 2009 comprehensive plan and the proposed use of the land is consistent with surrounding land use.

Nick Vivian presented the vision LandDev Co. has for the two parcels in discussion. He stated that the proposed land use and proposed zoning amendment is consistent with the surrounding land use.

There was much discussion regarding the comprehensive traffic study which was completed in May 2018. The comprehensive traffic study included Carmichael Ridge and St. Croix Meadows. The study was submitted to the City engineer for review and concurred with the findings.

Morrisette stated that the Plann Commission is recommending the approval of the proposed zoning amendment so that the development plans will be revealed.

Nick Vivian answered questions regarding the traffic study from citizens present.

Motion: Deziel made a motion, seconded by Morrisette, to suspend the rules.

Vote: All ayes (6) Motion carried.

Motion: Alms made a motion, seconded by Webber, to adopt Ordinance 23-18.

Vote: All ayes (6) Motion carried.

Ordinance 24-18: Ordinance Rezoning a portion a 21.1 acre m/l portion of St. Croix County tax parcel 040-1026-30-000 from temporary zoning classification of AR, Agriculture Residential to R-1, One-Family Residential.

Motion: Alms made a motion, seconded by Webber, to suspend the rules. **Vote:** All ayes (6) Motion carried.

Motion: Alms made a motion, seconded by Atkins-Hoggatt, to adopt Ordinance 24-18.

Discussion: Deziel asked David Schofield to clarify the impact the change would have on the river way. Deziel also asked Nick Vivian if the YMCA camp have been notified of the proposed land use. Mr. Vivian replied that representatives of the YMCA camp have been actively involved with meetings and conversations.

Ryan Cari, an attorney representing the Lee family, stated that the YMCA camp purchased the camp property from the Lee family. The contract entered into by both parties contains acknowledgment by the YMCA camp that the remaining portion of the Lee property was likely to be developed in the future. The future potential use of the property has been acknowledged in a signed written agreement. Ryan Cari stated that Lee family is in favor of the proposed rezoning.

There were comments by the public opposing the rezoning of this ordinance.

Vote: All ayes (6) Motion carried.

COMMENTS AND SUGGESTIONS FROM CITIZENS PRESENT

None

CONSENT AGENDA

Devin Willi pulled item G from the consent agenda.

Morrisette pulled item I from the consent agenda.

- A. Minutes from the Regular Council Meeting of August 20, 2018 and the Special Council Meeting of August 27, 2018
- B. Claims
- C. Exit Interview Form
- D. Regular and Temporary Operator's Licenses
- E. Temporary Class "B" Liquor License to Hudson Hockey Association on September 28-30, 2018
- F. Temporary Class "B"/"Class B" License for Hudson Area Library Foundation on October 20, 2018.
- G. Coulee Road Retaining Wall Plans and Advertisement for Bids.
- H. Reallocation of Capital Funds for Crestview Drive & Carmichael Road Signal Cabinet and Components.
- I. Conditional Use Permit (CUP) three-year review for K9 Playtime, LLC to operate a commercial dog kennel/dog daycare facility at 1400 Gateway Circle.

Motion: Morrisette made a motion, seconded by Alms, to approve the consent agenda, excluding items G and I. **Discussion:** None **Vote:** All ayes (6). Motion Carried.

G. Coulee Road Retaining Wall Plans and Advertisement for Bids

Devin Willi stated that council previously approved the engineering project, however, the source of funding was not identified nor approved. Upon recommendation of the Finance Director, the \$15,000 can be taken from the council contingency funds.

Motion: Morrissette made a motion, seconded by Alms, to approve using funds from council contingency for the project. **Vote:** All ayes (6) Motion carried.

I. Conditional Use Permit (CUP) for K9 Playtime, LLC

Motion: Morrissette made a motion, seconded by Atkins-Hoggatt, to approve the conditional use permit for K9 Playtime, LLLC for a period of three months. **Vote:** All ayes (6) Motion carried.

UNFINISHED BUSINESS

Discussion and Possible Action on Process to Request Wheel Tax Collections from St. Croix County.

Catherine Munkittrick researched this topic and reported that it is unlikely that the county wheel tax revenue will be shared with the city. If council is still interested in proceeding with requesting a wheel tax collection from the county, a letter requesting this should be submitted to the county board, in care of the county board chair.

NEW BUSINESS

A. Resolution 12-18 Requesting Exemption from County Library Tax

Motion: Morrissette made a motion, seconded by Atkins-Hoggatt, to suspend the rules.
Vote: All ayes (6) Motion carried.

Motion: Morrissette made a motion, seconded by Alms, to approve Resolution 12-18.
Discussion: None **Vote:** All ayes (6) Motion carried.

B. Discussion and possible action on the introduction of a resolution and to set a public hearing date to partially discontinue a portion of public right of way generally located east side of First Street from the intersection of Buckeye Street northerly to the intersection of Wisconsin Street.

Catherine Munkittrick explained that this has been requested by River City Development as a way of updating and redeveloping their property to discontinue a portion of First Street. There is a statutory process which involves introducing the resolution. They've provided the survey which shows the area to discontinue if the resolution is adopted. Catherine went on to explain the process involved with the hearing and resolution. The purpose is to introduce the resolution and schedule a public hearing for October 22nd at the Common Council meeting.

Motion: Morrissette made a motion, seconded by Alms, to set the public hearing for October 22nd and to forward the resolution to the Plan Commission. **Discussion:** None **Vote:** All ayes (6) Motion Carried.

C. Discussion and Possible Action on final development plans and downtown overlay district design review for River City Center at 109 Second Street – River City Center, LLC.

David Schofield stated that there is a number of conditions upon the approvals. The developers provided DNR permits that are required for the project. A floodway study was also completed. Comments relating to the driveways on Buckeye and First Street were addressed. A driveway on Second Street will be eliminated. David Schofield recommended approval of the recommended plans.

Motion: Morrissette made a motion, seconded by Alms, to approve the plans along with any contingencies involved. **Discussion:** Deziel asked for clarification on the timeline for the public hearing and final development plans. Catherine Munkittrick and David Schofield replied. David felt confident that the project could move forward with the current stipulations. Brian Zeller, a partner with the RCC project explained that the property in question has been maintained by RCC but is owned by the city. He recognizes that this is a condition of the approval, not the final approval. With the approval, they can continue with the next phase. **Vote:** All ayes (6). Motion Carried.

Communications and Recommendations of the Mayor

Appointments to the Public Utilities Commission

Motion: Webber made a motion, seconded by Atkins-Hoggatt, to re-appoint Andy Hassan and Pat Nolan for a three-year term to the Public Utilities Commission. **Discussion:** None **Vote:** All ayes (6). Motion Carried.

Communications and Items for Future Agendas

a. Common Council members

Morrissette reported that the Village of North Hudson voted to pull out of the EMS contract.

b. **City Attorney and/or City Staff**

Discussion and possible action on convening into Closed Session pursuant to Wis. Stat.19.85(1)(c) employment, compensation or performance evaluation data related to EMS Interim Director personnel issues.

Pulled from the agenda by Mayor O'Connor.

Adjourn

Motion: Morrissette made a motion, seconded by Hall, to adjourn the meeting. All ayes (6) Motion carried. Meeting adjourned at 8:55 p.m.

/s/ Jennifer Rogers, City Clerk

I hereby certify that the City Clerk has submitted the foregoing minutes to me and hereby by my signature approve said minutes and all acts of the Common Council as set forth therein.

/s/ Rich O'Connor, Mayor

Date approved by Council: September 17, 2018