

COMMON COUNCIL OF THE CITY OF HUDSON, WISCONSIN

**Monday November 12, 2018 7:00 p.m.
Council Chambers of City Hall, 505 Third Street**

Mayor O'Connor called the meeting to order and led the pledge of allegiance at 7:00 pm.

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

Also Present: Devin Willi, Catherine Munkittrick, Mike Johnson, Mike Mroz, Scott St. Martin, Josh Olson, Brenda Malinowski, Mary Claire and others.

Public Hearing

Public hearing on zoning map amendment from B-2, General Business to RM-1, Multiple Family Residential and a comprehensive plan amendment from General Commercial to Medium Density Residential at St. Croix County tax parcel 236-2041-00-000 – Citizens State Bank

Mayor O'Connor opened the public hearing for public comment at 7:01 pm. No public comment was received.

Morrisette made a motion, seconded by Hall, to close the public hearing. Roll Call Vote: All Ayes (6) Motion carried.

A. Discussion and possible action on Ordinance 27-18: Ordinance rezoning St. Croix County tax parcel 236-2041-00-000 from B-2, General Business to RM-1, Multiple Family Residential and amending the comprehensive plan from General Commercial to Medium Density Residential.

Mike Johnson stated that this request is a remnant parcel of 6.22 acres northeast quadrant of Hanley Road and Hwy 35. The bank took possession of this property during the recession a number of years ago in an effort to make it more desirable property to market. The request of rezoning from RM-1 to B-2 would potentially mean a higher density use of apartments. There is a number of different land use criteria that needs to be met. Plan Commission reviewed this at their last meeting and recommended approval.

Alms inquired if there is a known plan for this property or is it just a rezoning. Johnson replied that he has not been informed of any plans.

Morrisette made a motion, seconded by Alms, to suspend the rules towards the adoption of Ordinance 27-18. Roll Call Vote: All Ayes (6) Motion carried.

Alms made a motion, seconded by Hall, to adopt Ordinance 27-18. Roll Call Vote: All Ayes (6) Motion carried.

B. Public hearing on a zoning map amendment from AR, Agricultural Residential to B-2, General Commercial for a 5.54-acre m/l portion of St. Croix County tax parcel 236-2068-00-000 – LandDevCo of Hudson, LLC

Mayor O'Connor opened the public hearing for public comment at 7:10 pm.

Tom Nielsen stated that he has opposed much of the development. He added that this is the third time that a request for a rezone has been made, but under a different classification of rezoning. He expressed concerns regarding approval of a zoning change when there is so much going on with St. Croix Meadows. He feels that there will not be a lot of business development, but that there will be an increase in residential housing. He also expressed concern with who would be responsible for the repair or rebuild of Mayer Road. He requested this rezoning to be delayed until plans are made known.

Alms made a motion, seconded by Hall, to close the public hearing. Roll Call Vote: All Ayes (6) Motion carried.

Discussion and possible action on Ordinance 28-18: Ordinance rezoning a 5.54-acre m/l portion of St. Croix County tax parcel 236-2068-00-000 from AR, Agricultural Residential to B-2, General Commercial.

Mike Johnson stated that the B-2 request is consistent with the 2009 land use plan. There are a number of allowable uses with the proposed rezoning change which will be subject to review and approval by the Planning Commission and Council on the proposed uses. Mayer Road is included in the pre-development agreement. In the capital cost study, the developer is responsible for the reconstruction of Carmichael Road to River Ridge. The Planning Commission recommended approval.

Hall made a motion, seconded by Webber, to suspend the rules towards the adoption of Ordinance 28-18. Roll Call Vote: All Ayes (6) Motion carried.

Webber expressed that he feels that more multi-unit buildings in the city are needed to keep the cost down so that people who work here can afford to live here.

Hall made a motion, seconded by Webber, to adopt Ordinance 28-18. Roll Call Vote: 5-1 (Motion opposed by Morrissette)

Comments and Suggestions from Citizens Present

Comments are limited to five (5) minutes; must address items not listed on the agenda; are limited to issues that have an impact of the City of Hudson, and that the Common Council may address at a future meeting and must not include endorsements of any candidates or other electioneering. An exception to the five (5) minute limit may be made at the discretion of the Mayor. As presiding officer, the Mayor, may allow public comment on agenda items during discussion by the Common Council following a motion and a second being made on said agenda item. The Mayor may place time limits on individual comments as he or she deems necessary.

Mary Claire Olson Potter, the President of the Hudson Chamber of Commerce, provided the council with an update on events going on within the community including the Tour of Homes, Adjacent to Russia broadcast, the Girls Night Out and the dates and times Channel 4 TV will be present in Hudson, She Stated that events like these are what continue to grow the community and continue to make Hudson a great place to live, work, do business, and visit. The Chamber is in the process of putting together their working plan for 2019. They will re-engage the Tourism Committee, thanks to council member, Morrissette. She added that one of the Chamber's goals is to attract and retain a work force. Lastly, Mary Claire thanked the City for the help and support throughout 2018.

Discussion and Possible Action on Consent Agenda Items

A motion, second and majority roll call vote of the Council will approve all of the following items listed. Any item may be pulled from the list and handled separately.

- A. Minutes from the Regular Council Meeting of October 22, 2018.
- B. Claims in the amount of \$1,379,361.24.
- C. Approval of four Regular Operator's Licenses
- D. Financial Report for 3rd Quarter 2018

- E. Building Inspector's Report for 3rd Quarter 2018
- F. Issuance of four Operator's Licenses
- G. Special Event Permit for Hot Air Affair
- H. Approval of RFP for the Sale of Property located at 815 Fifth St.
- I. Discussion and Possible Action on the Award of the Construction Contract for the 2019 Ampitheatre Ceiling Replacement Project.
- J. Discussion and Possible Action on the Reallocation of Capital Funds and Approval of the Quote for Lighting at the Lakefront Park Ampitheatre.
- K. Discussion and Possible Action on the Standard Operating Procedures (SOP) for Shoveling Private Sidewalks.
- L. Discussion and Possible Action on LOE for Highway 35 Enhancements
- M. Discussion and Possible Action Reallocation of Vehicle Equipment Funds for the Purchase of a 2004 Vac Trailer.
- N. Discussion and Possible Action on Reallocation of Police Department Budget Salary Funds for Patrol Vehicles and Uniform Allowance.
- O. Discussion and Possible Agreement on New Fee Agreement with the Rodli Beskar Law Firm as adjusted by the Finance Committe.
- P. Agreement between the City of Hudson and Brunton Architects and & Engineers.
- Q. Conditional Use Permit for Summit Ridge Subdivision related to City of Hudson Municipal Code §255-18 and Wisconsin Administrative Code NR 118.07(1) Land Division.
- R. Conditional Use Permit for Summit Ridge Subdivision related to City of Hudson Municipal Code §255-18 and Wisconsin Administrative Code NR 118.07(2) Planned Cluster Developments.
- S. Conditional Use Permit for Southpoint Subdivision related to City of Hudson Municipal Code §255-15 Planned Residential Development (PRD).
- T. Discussion and Possible Action on additional funding request to begin the process of design and construction of improvements for the Carmichael Road Corridor.
- U. Discussion and possible action on a certified survey map (CSM) at 1225 First Street submitted by Xcel Energy o/b/o Mary Therese Alberg.

Alms made a motion, seconded by Morrissette, to approve the consent agenda. Roll Call Vote: All Ayes (6) Motion carried.

New Business

A. Discussion and Possible Action on Trio Group LLC/Stone Tap Request for Extension
David Robson announced that he is the real estate agent that represents the company that owns and operates Stone Tap. He stated that the previous potential buyer withdrew from the purchase the Friday before the October 22nd meeting. He added that there was debris in the building due to construction overhead which would have made it impossible for the buyer to operate under those conditions.

David Robson explained that an extension is needed to clean up the property. He then provided the council with pictures of the building which documented the debris and damage to the ceiling. They are working towards selling the business, but an extension is needed in the meantime.

Nate Hildebrandt, a representative of Clear View Developers; disclosed that they were the developers of the project above the restaurant. He explained that work was done knowing that the business was vacant. He further explained the work accomplished during the construction. He stated that they're working to complete the work in the restaurant and make sure that everything will be cleaned up as soon as possible. Nate stated that much of what was seen in the pictures have been cleaned up already. It is estimated that completion of construction and clean-up can be obtained within two months.

David Robson stated that there is a potential buyer available and if another extension is required, the

request will come from the new owners.

David Robson answered questions from the council. Devin Willi clarified that the new owners will have 90 days automatically under our ordinance for a start-up period and if they need more than that, they would have to request additional time.

Morrisette made a motion, seconded by Alms, to approve the timely start-up for Trio-Group, LLC/Stone Tap until February 15, 2019. Roll Call Vote: All Ayes (6) Motion carried.

B. Discussion and Possible Action on request to have staff develop a plan for combining the Fire Department and St. Croix EMS.

Paul Deziel introduced this agenda item. He is interested in receiving more information on a Fire base EMS department. He visited both Chippewa Falls and Menomonee, which are communities comparable in size to Hudson. Both communities have a fire based EMS and would like this option to be considered for Hudson. He stated that there are advantages in combining the two departments and flexibility for the EMS and fire department can be maximized. He added that it would be a good option for keeping local control and public accountability over our EMS service. In the long-run, it can be sustainable because EMS runs provides income.

Fire chief director, Scott St. Martin and interim EMS director, Josh Olson, were involved in the lengthy discussion about this topic and a variety of concerns were addressed. Both St. Martin and Olson stated that though there are a lot of good points with this plan, there are challenges and suggested revisiting this in the future. St. Martin added that current staff would like to continue operating as they are and show little interest in moving towards a fire based EMS plan.

Deziel made a motion to direct the fire chief, the EMS coordinator, the city administrator and finance director to create a plan within 60 days showing staffing options, resource sharing, overall benefits and challenges, a timeline and costs involved in merging Hudson Fire and EMS into one facility under one chief, seconded by Atkin-Hoggatt.

Webber stated that 60 days isn't enough time to accomplish this in leu of their current jobs. Outside resources who has experience with this transition will also be needed. Deziel added that the fire chief in Menomonee is willing to assist.

Roll Call Vote: (4-2) Motion Failed. Opposed by Morrisette, Alms, Webber and Hall.

C. Discussion and possible action on the final master plan/conditional use permit (CUP) for a planned commercial development at the St. Croix Meadows Redevelopment site – St. Croix Meadows, LLC

Mike Johnson stated that this and the next three agenda items all pertain to the St. Croix Meadows redevelopment site. This plan conforms with the master plan. Any changes will need to be submitted for an amendment. The Planning Commission met and recommended approval with conditions on all items.

Wendy Sander, a representative of Cedar Corporation, provided further details of the final master plan and conditional use permit for the St. Croix Meadows. The preliminary master plan CUP was approved in August. This final master plan conforms to the preliminary master plan. Staff has gone through numerous plans and the development team made corrections and corrections to the engineering needs along the way.

Intersection improvements were discussed at the Planning Commission prior to the council meeting. Brekken Drive goes through the middle of the site. The Planning Commission had a lengthy discussion regarding the intersection improvements, especially the south portion of Brekke Drive and Carmichael

Road. Staff also recommended changes to the pedestrian and bicycle connectivity throughout the site. There is a number of 8 ft. wide sidewalks and they'll take another look at how those trails can go through the site. Staff made seven recommendations or conditions for the master plan. Planning Commission recommended approval of the master plan and conditional use permit with those seven conditions plus an additional eight condition. The eight condition is to install a conduit at the south end of Carmichael Road and Brekke Drive for future traffic control signal lights. It was also recommended that the traffic lights be analyzed in approximately eight months.

There was a lengthy discussion at the Planning Commission regarding traffic in the area and how the intersection lies with Carmichael. Some of the consensus involved whether or not the stop lights should be installed now. An entire traffic study was completed for this site and the recommendation at this point is that lights are not warranted. There was further discussion regarding the need and cost of a traffic light.

Morrisette made a motion, seconded by Alms, to approve the conditional use permit.

Roll Call Vote: All Ayes (6) Motion carried.

- D. Discussion and possible action on the introduction Resolution 19-18 and to set a public hearing date to partially discontinue a portion of public right of way generally located along the northwestern area of the St. Croix Meadows Redevelopment site – Phillips Medisize

Wendy Sander stated that there is small area of right-of-way on the north west corner of this St. Croix Meadows project that Phillips-Medisize is requesting to be vacated. It will no longer be used as an access point into this site and they would prefer to redevelop the area and use it as part of their parking lot. They are requesting a street vacation. Wendy stated that it will go to the Planning Commission in December for a full recommendation and will be on the January 7th council meeting.

Morrisette made a motion, seconded by Alms, to set the public hearing date.

Roll Call Vote: All Ayes (6) Motion carried.

- E. Discussion and possible action on the certificate of compliance for new Phillips Medisize facility office.

Wendy Sander stated that the rezoning code was revised to allow technology and research based manufacturing within the B-2 zone. Phillips-Medisize is requesting their certificate of compliance as required by the code. The Planning Commission recommended approval at their meeting.

Morrisette made a motion, seconded by Alms, to approve the certificate of compliance for Phillips-Medisize. Roll Call Vote: All Ayes (6) Motion carried.

- F. Discussion and possible action on final development plans for St. Croix Meadows Redevelopment – Phillips Medisize.

Wendy Sander stated that Phillips-Medisize has brought forth their final development plans. This is their last step in order for them to proceed with the building permit. They have submitted their plans and staff has gone through their first phase of their project. This is on the western 34 acres of the St. Croix Meadows study and this portion of the final development conforms to the final master plan that was just approved moments ago. They are looking at 220,000 sq. ft. building with an approximate 36,000 sq. ft. being office space.

Morrisette made a motion, seconded by Alms, to approve the final development plans.

Roll Call Vote: All Ayes (6) Motion carried.

Mayor O'Connor thanked the staff and all those who was involved with the election process and commended them for the work well done. Devin Willi added that the election workers also did a great job as well. The voter turnout was just under what the last presidential was; it was a pretty substantial voter turn-out for an off year.

Closed Session

Discussion and possible action on convening into closed session pursuant to Wis. Stat. 19.85 (1)(e)

- A. To deliberate regarding negotiating strategy with respect to Possible Agreement with Village of North Hudson regarding termination of EMS Agreement as of December 31, 2018.
- B. To deliberate regarding negotiating strategy with respect to negotiation of development agreements between the City of Hudson and River City Center, LLC-105 and 109 Second Street (St. Croix County Parcel Nos. 236-0021-00-000, 236-0336-00-000, 236-0023-00-000, 236-1207-00-000 and the unrecorded partial discontinuance of public right of way approved by the City of Hudson Common Council as Resolution 13-18 on October 22, 2018).

Alms made a motion, seconded by Hall, to enter into Closed Session.

Roll Call Vote: All Ayes (6) Motion carried.

Discussion and Possible Action on reconvening into Open Session

Morrisette made a motion, seconded by Hall, to reconvene in Open Session.

Roll Call Vote: All Ayes (6) Motion carried.

Discussion and any Possible Action on items discussed in Closed Session

- A. Possible agreement with Village of North Hudson regarding termination of EMS Agreement as of December 31, 2018

No decision was made regarding the Village of North Hudson agreement.

- B. Resolution 20-18, A Resolution of the City of Hudson, Wisconsin, approving a development agreement with River City Center, LLC re: St. Croix County Parcel Nos. 236-0021-00-000, 236-0336-00-000, 236-0023-00-000, 236-1207-00-000 and the unrecorded partial discontinuance of public right of way approved by the City of Hudson Common Council as Resolution 13-18 on October 22, 2018).

Alms made a motion, seconded by Hall, to suspend the rules. Roll Call Vote: All Ayes (6) Motion carried.

Alms made a motion, seconded by Webber, to adopt the Resolution 20-18 with conditions that staff work with the attorney Tofte to finalize annual appropriation language.

Roll Call Vote: All Ayes (6) Motion carried.

Communications and Recommendations from the Mayor

No further announcements.

Communications and Items for Future Agendas

- A. Common Council members

- B. City Attorney and/or City Staff

Devin Willi stated that he will send emails regarding budget updates.

Adjournment: Motion by Atkins-Hoggatt, seconded by Hall, to Adjourn at 9:35 pm.

Roll Call Vote: (6) All Ayes. Motion carried.

/s/ Jennifer Rogers, City Clerk

I hereby certify that the City Clerk has submitted the foregoing minutes to me, and I 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: November 12, 2018