

MONONA CITY COUNCIL MINUTES
February 1, 2016

The regular meeting of the Monona City Council was called to order by Mayor Miller at 7:33 p.m.

Present: Mayor Robert Miller, Alderpersons Jim Busse, Chad Speight, Mary O'Connor, and Brian Holmquist

Excused: Alderpersons Kathy Thomas and Doug Wood

Also Present: City Administrator April Little, Finance Director Marc Houtakker, City Attorney William Cole, Financial Consultant Jeff Belongia, Accurate Appraisal President Jim Danielson, Public Works Director Dan Stephany, MMSD Director of Eco Service Systems Dave Taylor, and City Clerk Joan Andrusz

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

A motion by Alder Holmquist, seconded by Alder Speight to approve the Minutes from the January 19, 2016 City Council meeting, was carried.

APPEARANCES AND PUBLIC HEARING

There were no Appearances or Public Hearing.

CONSENT AGENDA

A motion by Alder O'Connor, seconded by Alder Speight to approve the following, was carried:

Applications for 2015/2016 Operator Licenses:

- a. Franklin T. Nelson, Speedway – Monona Drive
- b. Alicia A. Rowe, Speedway – Monona Drive
- c. Katlyn M. Dhein, Speedway – Royal Avenue

Agenda items were re-ordered to accommodate those present.

NEW BUSINESS

A motion by Alder Busse, seconded by Alder Speight to suspend the rules and take action on Resolution 16-2-2076 Authorizing the Issuance and Sale of \$5,025,000 General Obligation Promissory Notes, Series 2016, was carried.

Finance Director Houtakker reported a Resolution was passed at the last meeting to allow interest rate negotiations to start for bonds for Capital Budget borrowing and also to re-finance a balloon payment for a note that is due in eight years, but will be paid off in seven. Mr. Belongia reported the City's Standard & Poors AA+ rating remains. The overall interest for the 10 years is 1.92%. A comparison to a AAA rating was provided. The premium will be used for debt service as required by law. He will be at the April meeting.

A motion by Alder Busse, seconded by Alder O'Connor to approve Resolution 16-2-2076 Authorizing the Issuance and Sale of \$5,025,000 General Obligation Promissory Notes, Series 2016. On a roll call vote, all members voted in favor of the motion.

UNFINISHED BUSINESS

City Administrator Little provided information on the Assessor contract that will include walk-throughs of one-quarter of the City over the next four years. Mr. Danielson was invited per Council request. Mayor Miller welcomed Mr. Danielson and stated he wanted to hear from him on the Department of Revenue (DOR) matter.

Mr. Danielson stated he has been the City's assessor for ten years and has a good relationship with the City Clerk and City Attorney. The DOR issues were with classification of agriculture land and a maintenance contract, neither of which affect the City. Audits are done by the DOR when there is a complaint. The complaint was brought forward by a competitor who owns an assessment company in Germantown. The issue stems from a conflict between the Assessor's Manual and the law regarding sales value evaluation.

Mr. Danielson reviewed his meetings with the DOR and that he asked for clarification from them. The DOR said they looked at 15 properties out of 9,000 in Germantown and 15 in each of 3 other communities out of a total of 20,000. The DOR wouldn't tell him what the errors were because it's an open investigation. Classifications are subjective. The errors were slight and improved technology allows correction. Mr. Danielson stated he voluntarily relinquished his license for 6 months to avoid full revocation, and is halfway through to reinstatement on May 1. He consulted with attorneys but was given only a few days to make a decision. He was told the matter wasn't going to be made public but it was in a matter of days with a letter sent to all of his clients. He has spoken with the City Clerk and others explaining the situation.

Mr. Danielson stated he has been hired back by Germantown for a one-year contract. He is trying to adhere to the process of education and communication to get his license back and wants to do the best job possible. He has no desire to retaliate in any way against the complainant. The timing of the process to be followed in the City was discussed, including walk-throughs and that his license will be reinstated in time for the Board of Review. One-quarter of the City will be physically reviewed to make sure data is correct, and then the entire City will be revalued. Statistics are broken out by style in neighborhoods.

Mr. Danielson explained there are seven property classifications and the City has only two: commercial and residential. Changes in classification from agriculture to fallow land are difficult to see online, and trees and other obstacles make on-site views difficult at times. City Administrator Little reported she has had no problems working with Accurate Appraisal in the past. She received three references with no concerns. Additional correspondence with the DOR provided very few details. She asked what Mr. Danielson has learned.

Mr. Danielson stated it wouldn't make sense for him or his business to not act swiftly if errors were pointed out, and is insulted that the DOR says he didn't respond to them or the issues raised. The errors in Germantown were corrected and they are now on a full value maintenance contract like the City's. Mayor Miller thanks Mr. Danielson for his candor, honesty, and passion. City Attorney Cole reported Mr. Danielson's Board of Review testimony is professional. In three lawsuits the assessment was sustained by the Court of Appeals in two and one was dismissed. Alder Busse stated the findings of fact include Germantown rehiring Accurate Appraisal which speaks well of the job done, the references were positive, and there are no problems with the system followed in the City.

A motion by Alder Speight, seconded by Alder Holmquist to approve Resolution 16-1-2073 Approving a Proposal for City Assessment Services. On a roll call vote, all members voted in favor of the motion.

NEW BUSINESS

A motion by Alder Speight, seconded by Alder O'Connor to suspend the rules and take action on Resolution 16-2-2075 Approving an Intergovernmental Agreement for an Adaptive Management Plan for the Yahara Watershed, was carried.

Public Works Director Stephany reviewed the plan. The City pays \$7,000 per year to participate and the full plan will be implemented in 2017. Mr. Taylor reviewed a Power Point presentation regarding the DNR phosphorous reduction requirement per segment of the watershed. The City's will go down as this can be adjusted based upon stormwater management. The pilot program started an adaptive management process so all cities, villages, towns, and other entities involved can work together. Area municipality participation was reviewed; members can leave the group after five years. The full plan and intergovernmental agreement is at the DNR for review. Costs were outlined regarding additional wastewater and stormwater. Agriculture producers are willing to work with this plan. Mayor Miller stated MMSD is required to address this issue. They could do a bricks and mortar fix, but that wouldn't clean the City's shoreline. This plan moves the work upstream and positively affects a half-million people.

Public Works Director Stephany reported the City's annual contribution of \$42,000 will be reduced to \$30,000 once the DNR finishes review of the City's phosphorous levels. The DNR percent reduction approach is beneficial. There will still be baseline requirements, but the City has 20 years to get the one area of concern, which will be the focus of Capital Improvement projects, up to the 40% goal. Funds will come out of the stormwater budget. The GIS change on the slope equation is complete. Mr. Taylor stated vacuum leaf pick up can help if improvement can be proven and expressed appreciation for the City's and especially Public Works Director Stephany's work on this effort. Alder Holmquist suggests resident education about actions that can reduce this cost.

Mayor Miller requested information on lead pipes in the City and water issues they create. Public Works Director Stephany reported lead levels are low. The pipes from wells to curb stops are not lead, but connections to house valves is unknown. Homeowners can look at the type of pipe in the basement coming out of the ground. Copper pipes have lead solder. If homeowners don't drink the first draw of water in the morning and run the water until it is cold, there won't be lead in the water. He will add a check of the type of service installed during the next round of meter changes, and will record a PSA for the radio station.

A motion by Alder Speight, seconded by Alder O'Connor to approve Resolution 16-2-2075 Approving an Intergovernmental Agreement for an Adaptive Management Plan for the Yahara Watershed. On a roll call vote, all members voted in favor of the motion.

UNFINISHED BUSINESS

City Administrator Little reported that while the CDA did not have a quorum, they did provide comments on the Vandewalle & Associates, Inc. agreement extension. Rates were questioned and more billing detail was requested on future invoices. The agreement can be cancelled mid-term with a 30-day notice. Mayor Miller reported he, City Administrator Little, and City Planner Reichertz met with Vandewalle. Their work is good but marketing efforts were questioned; they are doing more now.

A motion by Alder Busse, seconded by Alder Holmquist to approve Resolution 16-1-2072 Approving a One-Year Extension to the Agreement with Vandewalle & Associates, Inc. for Services Related to the Mixed-Use Waterfront Redevelopment Project. On a roll call vote, all members voted in favor of the motion.

NEW BUSINESS

A motion by Alder Speight, seconded by Alder Holmquist to Convene in Closed Session under Wisconsin Statute section 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (Wisconsin Professional Police Association Contract). On a roll call vote, all members voted in favor of the motion.

Upon reconvening in Open Session:

Alder Busse reported the contract wasn't presented so there is not enough information to move forward.

A motion by Alder Busse, seconded by Alder Holmquist to table until the contract is available Consideration of Resolution 16-2-2077 Approving the Terms of Contract with Wisconsin Professional Police Association/Law Enforcement Employee Relations Division, was carried.

REPORTS

Alder O'Connor reported the Sustainability Committee needs members and a committee membership application is on the City's website, mymonona.com.

City Clerk Andrusz reported she continues to work through issues with the WisVote system and reminds listeners that photo ID is now required to vote.

City Administrator Little distributed Code Enforcement officer statistics and reminds listeners no particular area is targeted. There have been violations in almost all areas of the City.

Mayor Miller reported there may be a major snowstorm so viewers should watch the website and adhere to parking rules. There have been ribbon cuttings at the new Treysta fitness and yoga clubs. The Slinde building is filling up. Mayor Miller was sad to announce the passing of long-time active City resident Kathy Mahoney and extends condolences to her family. Mayor Miller was happy to announce the birth of Media Coordinator Will Nimmow and his wife Liz's son Brody. A new Police Officer was sworn in today, bringing the force to full strength.

APPOINTMENTS

A motion by Alder O'Connor, seconded by Alder Speight to approve the following, was carried:

Election Inspectors, January 1, 2016 – December 31, 2017:

- a. Patricia Howell
- b. Kate Kvale
- c. LaVerne Schwengel

ADJOURNMENT

A motion by Alder Holmquist, seconded by Alder Busse to adjourn, was carried. (9:10 p.m.)

Joan Andrusz
City Clerk