

MONONA CITY COUNCIL MINUTES
April 16, 2018

The regular meeting of the Monona City Council was called to order by Mayor O'Connor at 7:03 p.m.

Present: Mayor Mary K. O'Connor, Alderpersons Chad Speight, Doug Wood, Andrew Kitslaar, Nancy Moore, Jennifer Kuhr, and Brian Holmquist

Also Present: City Administrator April Little, City Attorney William Cole, City Planner/Economic Development Director Sonja Kruesel, Parks & Recreation Director Jake Anderson, Finance Director Marc Houtakker, Public Works Director Dan Stephany, Police Chief Walter Ostrenga, Ozzie and Jaye Clemmons from Mr Brews Taphouse Monona, and City Clerk Joan Andrusz

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Alder Wood requested an amendment to the last paragraph of Page 2, adding "Alder Wood stated he liked the design but it looked expensive."

A motion by Alder Wood, seconded by Alder Kuhr to approve the Minutes of the April 2, 2018 City Council meeting as amended, was carried.

APPEARANCES

There were no Appearances.

PUBLIC HEARING

There was no Public Hearing.

CONSENT AGENDA

A motion by Alder Kitslaar, seconded by Alder Speight to approve the following, was carried:

1. Approval of Application for a 2017/2018 Operator License:
 - a. Jenaisha R. Mick, Speedway – Royal Avenue
2. Approval of Applications for a 2017/2019 Operator Licenses:
 - a. Kevin J. Carey, Village Lanes
 - b. Joel A. Larscheidt, Speedway – Royal Avenue
3. Approval of Application for a Renewal Application for a 2018/2020 Operator License:
 - a. Susan M. Besler, The East Side Club

UNFINISHED BUSINESS

A motion by Alder Moore, seconded by Alder Kitslaar 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 (West Broadway Hotel Associates, LLC Development Agreement). On a roll call vote, all members voted in favor of the motion.

Upon reconvening in Open Session:

A motion by Alder Speight, seconded by Alder Kitslaar to approve Resolution 18-4-2261 Approving a Development Agreement with West Broadway Hotel Associates, LLC, was carried.

Recreation Director Anderson reported that since the last meeting the grant application for the Riverfront Development park has been put together with design costs and contingency added in. He projected and reviewed the conceptual design. More refined work will be done if this is approved. There is a May 1 application deadline with award in August in time for Capital Budget work. Budget figures were reviewed; the excess could be borrowed or be part of General Obligation funding.

Alder Wood reported he met with Recreation Director Anderson and City Planner Kruesel and had questions for staff tonight. In response, Finance Director Houtakker explained the build-out and skating rink are not TIF eligible and would come out of General Obligation borrowing, not grant funds. Recreation Director Anderson listed the most important components of the design, with immediate benefits, are the ice rink with concessions, the activity deck/stage, and lighting. The goal is resident ownership with year-around use. A regional attraction is created by the ice skating rink in a heavily developed area and the river stop. Seating options were described including netted seating, curved benches, for board games, and along the river.

Alder Speight supports this project but questions why this is not TIF eligible because it benefits the developer as well as residents. Improvements at Treysta on the Water were not paid for by taxpayers. City Attorney Cole explained this is an issue of state law, not negotiations. Public structures can't be included in TIF; TIF serves to encourage taxable structures. Infrastructure such as roads and staff salaries can be TIF funded. Fifty years of rent for the park structure is in lieu of Parkland funds. Finance Director Houtakker stated there were substantial grant funds for Lottes Park and cost splits with grants and the General Fund.

Alder Wood questioned whether borrowing the excess as a TIF loan raises concern. Finance Director Houtakker responded the cash flow analysis was done taking out the park and hotel and there are enough funds to cover the park for a few years and it will then be covered by another TIF.

Alder Kitslaar clarified a conceptual plan is being approved tonight. Recreation Director Anderson reported he is meeting with Vandewalle & Associates and Strand Associates who will begin the design which will then be presented to the Council. Alder Kitslaar stated he supports this project but questions whether waiting on some parts should be considered. Alder Moore stated fund raising will be considered.

Alder Wood stated he wants language added to the Resolution that the conceptual plan cost will not go above the \$1.7 million requirement, either in property tax funds or other revenue. Recreation Director Anderson stated the grant is on a separate Resolution; this Resolution gets the design started with some costs defined. It includes a 20% contingency, higher than the usual 7% to 8%, but this includes engineering. He knows the costs are firm in the plan. Alder Kitslaar stated he wants to keep costs down but has difficulty putting a dollar amount on it at this point. Alder Kuhr stated she understands the need for limits but only the conceptual plan is being approved; she is concerned about future constraints.

Alder Speight stated in his profession a budget versus wants is considered; not all that is proposed will be done. He is concerned about costs and stating the limit will convey that. Alder Moore stated she agrees if

dealing with unknown or irresponsible entities, but these are ad hoc committee members and a well-known engineering firm and it's arbitrary to place a budget now. All features are examined for infrastructure costs and needs. City Administrator Little stated parameters should be in place before funding sources are pursued. Alder Wood stated it is not arbitrary, these are probable costs. Experience shows costs go up not down. He trusts the group but the message of the amount the Council is investing needs to be conveyed. Alder Kuhr stated putting a number on the project could work against the Council. It sends the message that designers and developers are approved to go up to that number when maybe they would have gone lower.

Alder Speight stated the Council will decide; placing a number doesn't tie their hands. The amount could change; he just doesn't want it to increase. Final costs will have to be reviewed. Recreation Director Anderson stated there is a restricted time frame. The entire plan will be presented later during Capital Budget time. If the grant is not received there is time to revise the scope of the plan. Mayor O'Connor stated she has expressed her concern with the cost and that it should be kept down. Alder Holmquist stated the grant is a 50% match and not all elements are eligible. Items have to be chosen to put forward in the grant application and alternate funding pursued. He doesn't see the purpose of adding a dollar amount because the design is conceptual; decisions will have to be made in the future.

A motion by Alder Wood, seconded by Alder Speight to add the following language to the "Now, Therefore" section of Resolution 18-4-2260 Approving a Conceptual Plan for the Riverfront Public Park Plaza: "... attached, expected cost not to exceed \$1.7 million, is hereby approved,..." was withdrawn by the maker and second after this discussion.

A motion by Alder Speight, seconded by Alder Moore to approve Resolution 18-4-2260 Approving a Conceptual Plan for the Riverfront Public Park Plaza, was carried.

Public Works Director Stephany reviewed the emergency generator project and reported the Public Works Committee recommended approval.

A motion by Alder Kitslaar, seconded by Alder Wood to approve Resolution 18-4-2257 Award of Bid for 2018 Emergency Generator Project. On a roll call vote, all members voted in favor of the motion.

Police Chief Ostrenga reported the only change to the Police School Resource Officer Agreement was that the signature page was amended to the most recent post-election signers.

A motion by Alder Kitslaar, seconded by Alder Speight to approve Resolution 18-4-2259 Approval of a Police School Resource Officer Agreement Between the City of Monona, the Monona Grove School District, and the Village of Cottage Grove, was carried.

NEW BUSINESS

Alder Wood provided information on the Application for a 2017/2018 "Class B" Liquor License for Mr Brews Tap House Monona LLC, d/b/a Mr Brews Tap House, 301 West Broadway, Suite B, Monona, Wisconsin, 53716. There are two "Class B" Liquor licenses available under the City's state-imposed quota. One is being held for the Yahara Commons project and is a very key factor there. There are two applicants for the one remaining available license. Information was received from both applicants at three License Review Committee meetings, one because of a lack of quorum for voting. He introduced Mr. Jaye Clemmons and stated Mr Brews drink menu will be included in the next meeting packet.

Mr. Clemmons stated this is part of his business's efforts to be more competitive with other restaurants in the area. High-end cocktails will be served, not shots, to match the higher-end craft beers that are currently offered. He is restricted by the franchiser with fines if he doesn't remain within the defined parameters. He is expecting revenues to increase \$250 to \$500 per day. He does lose business clients and other customers do not come in or leave because of having no liquor available. Hours would remain 11:00 a.m. to 11:00 p.m. Tequila will not be offered.

Alder Moore questioned there being no shots, and how that would be avoided, especially in a sports bar atmosphere. Mr. Clemmons stated they would be served neat. The higher price would encourage slower consumption. Alder Moore questioned whether the available license might be needed for the Yahara Commons or another development in the future. City Attorney Cole reported Galway says they only need one and there are no other plans. Alder Wood stated it would be nice to retain one but he doesn't want to turn away a good, qualified applicant.

Alder Wood provided information on the Application for a 2017/2018 "Class B" Liquor License For La Rosita Mexican Buffet LLC, d/b/a La Rosita Mexican Buffet, 6001 Monona Drive, Monona, Wisconsin, 53716. The License Review Committee recommended denial because the key difference in these applicants is experience. La Rosita Buffet just started to serve beer. The license won't be fully utilized; they want to only serve margaritas and daiquiris and they close at 9:00 p.m. Anytime a license is granted it is very difficult to get back. Some have been issued that he wishes were not because they are not being fully used. The Committee has to weigh the benefit to the public and the business.

City Clerk Andrusz explained that the liquor license quota was set in 1997 based upon the population, which was approximately 8,600. An additional license was gained due to a statute change. Additional licenses can be added for each population increase of 500. Because the current population is approximately 7,500, the City would have to grow by 1,500 to gain a license. City Attorney Cole addressed the recently enacted Preferred Economic Development District (PEDD) law. The Yahara Commons development appears to qualify but that option hasn't been pursued. City Clerk Andrusz reported the City could gain two licenses outside the quota for that area, but they would each cost the applicant, including future applicants, \$30,000, so would most likely preclude a small business from applying.

Alder Moore expressed concern about the lack of options if the City issued all available licenses. City Attorney Cole explained that at the first granting the Council can exercise discretion for any number of factors. However, once issued the licensee has property rights and a closely dictated process has to be followed to revoke a license, with the Council's decision appealable to the circuit court. Under-utilization is not one of the six factors for recindancy. The process is fairly burdensome for the City. Alder Wood stated occasionally licenses do become available. There have been times when all have been issued. In this case it supports an existing business in their success. No one is providing handcrafted cocktails; Mr Brews provides variety and options. Alder Kuhr stated Waypoint Public House also provides these types of cocktails. Alder Wood responded that their website doesn't show that menu.

A motion by Alder Kitslaar, seconded by Alder Moore to suspend the rules and take action on Resolution 18-4-2262 Approval to Apply for a DNR Stewardship Grant, was carried.

Recreation Director Anderson stated this is a required action that relates to the Riverfront Development park. Alder Kitslaar questioned whether all eligible items are included. Recreation Director Anderson responded Strand Associates will review the application.

A motion by Alder Kitslaar, seconded by Alder Speight to approve Resolution 18-4-2262 Approval to Apply for a DNR Stewardship Grant, was carried.

REPORTS

Alder Moore reported the Sustainability Committee had a good discussion on Eco Action Tuesdays and a terrific presentation by Michael Vickerman from Renew WI. The energized Committee will present ideas to the Council.

Alder Wood reported public input will be sought by the Ad Hoc Pedestrian and Bicycle Committee on May 8 at Winnequah School at 6:30 p.m.

Alder Holmquist reported it has been his joy and pleasure to serve as an Alderperson.

Alder Kuhr thanks Alder Holmquist and reported she learned a tremendous amount from him.

City Administrator Little reported the Volunteer Appreciation event is April 26 at 5:30 p.m. at the Community Center. Members should contact her if they wish to attend the May 2 Clean Lakes Alliance breakfast.

Mayor O'Connor reported the Organizational Meeting is tomorrow night at 5:30 p.m. in the City Hall conference room followed by a social gathering at Angelo's Restaurant. Some committee appointments are still needed. She thanks Alder Holmquist for his service and announced he will remain as a member of the Plan Commission.

APPOINTMENTS

There were no Appointments.

ADJOURNMENT

A motion by Alder Holmquist, seconded by Alder Kitslaar to adjourn, was carried. (8:43 p.m.)

Joan Andrusz
City Clerk