

MONONA CITY COUNCIL MINUTES
Special Meeting
March 29, 2012

The special meeting of the Monona City Council was called to order by Mayor Miller at 6:33 p.m.

Present: Mayor Robert Miller, Aldermen Scott Munson, Jim Busse, Jeffrey Wiswell, Dennis Kugle, and Chad Speight

Excused: Alderman Doug Wood

Also Present: City Administrator Patrick Marsh, City Attorney William Cole, Public Works Director Dan Stephany, Jeff Belongia from Hutchinson, Shockey, Erley & Co., Building Inspector Marty Pilger, and City Clerk Joan Andrusz

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

An amendment was required to the draft minutes on page 3, paragraph 4 as follows: "...eight years at 1% over the interest rate of the borrowing;..." City Clerk Andrusz will make this correction.

A motion by Alderman Munson, seconded by Alderman Busse to approve the City Council minutes of March 19, 2012 as amended, was carried.

APPEARANCES

The following individuals appeared before the Council and spoke against the property maintenance Ordinance:

- Jim Guilfoil, 5306 Tonyawatha Trail
- Joe Chern, 5301 Tonyawatha Trail

The following individuals appeared before the Council and spoke in favor of the property maintenance Ordinance:

- Phillip Molina, 1114 Birch Haven Circle
- Charles Forsmo, 5505 Brandt Place
- Paul Ament, 407 Sethne Court

PUBLIC HEARING

There was no Public Hearing.

CONSENT AGENDA

There was no Consent Agenda.

UNFINISHED BUSINESS

A motion by Alderman Busse, seconded by Alderman Munson to remove from the table Resolution 12-03-1841 Approving an Amendment to the Employment Agreement with the City Administrator, was carried.

Alderman Wiswell reported this was tabled so the Council could do a performance evaluation. Mayor Miller did this in February, and Alderman Wiswell requests a copy of the contract and evaluation within the next few days. He requests this be formally scheduled annually in future as stated in the contract.

A motion by Alderman Busse, seconded by Alderman Speight to approve Resolution 12-03-1841 Approving an Amendment to the Employment Agreement with the City Administrator, was carried.

Alderman Kugle reported the Public Works Committee reviewed six engineering firm's presentations and chose three for three-year agreements. This doesn't mean they get all projects. Public Works Director Stephany reported work will be approved by the City Administrator. Hourly rate sheets were required for each staff person used on any given project.

A motion by Alderman Kugle, seconded by Alderman Speight to approve Resolution 12-03-1845 Approval to Contract with Strand Associates, Vierbicher Associates, and SCS BT Squared for Municipal Engineering Services. On a roll call vote, the motion carries. Alderman Busse abstained due to professional conflict.

City Clerk Andrusz reported Act 97 allows sales of Class A packaged alcohol products to begin at 6:00 a.m. The License Review Committee received comment from City businesses requesting an Ordinance change to match this Statute. In the process, it was discovered there would be a conflict between hours of sales for fermented malt beverages and liquor, so the City Attorney recommended amendment of this as well. Alderman Wiswell reported this change does not force businesses to open at the earlier hour.

A motion by Alderman Speight, seconded by Alderman Wiswell to approve Ordinance 3-12-637 Amending Section 7-2-15 of the Code of Ordinances Concerning Closing Hours of Liquor Establishments, was carried.

NEW BUSINESS

A motion by Alderman Wiswell, seconded by Alderman Speight to suspend the rules and take action on Resolution 12-03-1851 Authorizing the Issuance and Sale of \$3,640,000 General Obligation Refunding Bonds, was carried.

Mr. Belongia distributed a sales comparison sheet illustrating there was not a substantial difference between a municipality with an AAA rating and Monona's AA rating. Total debt is evened out with a very good interest rate locked in. The amount should be amended to \$3,725,000 due to lower interest rates.

A motion by Alderman Busse, seconded by Alderman Kugle to amend the sale price of Resolution 12-03-1851 Authorizing the Issuance and Sale of \$3,640,000 General Obligation Refunding Bonds to \$3,725,000, was carried.

A motion by Alderman Wiswell, seconded by Alderman Speight to approve amended Resolution 12-03-1851 Authorizing the Issuance and Sale of \$3,725,000 General Obligation Refunding Bonds. On a roll call vote, all members voted in favor of the motion.

A motion by Alderman Wiswell, seconded by Alderman Speight to suspend the rules and take action on Resolution 12-03-1852 Authorizing the Issuance and Sale of \$4,950,000 General Obligation Promissory Notes, was carried.

Mr. Belongia reported the City will have more funds to pay for projects.

A motion by Alderman Busse, seconded by Alderman Wiswell to approve Resolution 12-03-1852 Authorizing the Issuance and Sale of \$4,950,000 General Obligation Promissory Notes. On a roll call vote, all members voted in favor of the motion.

A motion by Alderman Busse, seconded by Alderman Speight to suspend the rules and take action on Resolution 12-03-1853 Authorizing the Issuance and Sale of \$1,340,000 Taxable General Obligation Refunding Bonds, was carried.

Mr. Belongia reported this was issued to comply with the TIF 5 Developer's Agreement. The coupon was 3.5% and is now 3.05% over twelve years. The City has had good management of TIF's. Alderman Wiswell commends staff and Council for acting fiscally responsible, which should continue. Alderman Busse requests Mr. Belongia meet with the new Council to review finances as was done in the past.

A motion by Alderman Busse, seconded by Alderman Speight to approve Resolution 12-03-1853 Authorizing the Issuance and Sale of \$1,340,000 Taxable General Obligation Refunding Bonds. On a roll call vote, all members voted in favor of the motion.

Public Works Director Stephany began discussion of Resolution 12-03-1854 Award of Contract for 2012 Dredging Project. The Council has approved the project with limits set, and this Resolution is for the approval of the contractor. The process, fiscal note, and the bid were reviewed, with costs of each portion of the project outlined. The bid was extended for 90 days from February to hold the prices. Members agreed that because this is a project with a lot of public concern, approval will be considered at the next meeting.

Building Inspector Pilger began discussion of Ordinance 3-12-638 Amending Section 15-1-81 of the Code of Ordinances Concerning Minimum Housing and Property Maintenance, which was to be the final draft after almost a year of work at the Public Safety Commission. The City Attorney's recommended deletions were not reviewed by the Commission.

City Attorney Cole explained definitions were deleted because too much discretion was given to the Building Inspector, and standard dictionary definitions were not necessary on others. The razing procedure is already very specifically described in State Statute 66.0413 and is routinely used. Other sections that mirrored the uniform dwelling code were removed. The City can only dictate how property is maintained. Penalties are elsewhere in the code, but could be added here if desired. The definition of "person" includes corporations because the owner of the property needs to address issues and may be a corporation. The definition of "family" is necessary to address the issue of "flop houses", for example, with an excessive number of people living in a too-small dwelling. Definitions only apply to the Ordinance section they are defined within.

Alderman Kugle recommended “recreational vehicles” include boats or snow mobiles not just the trailers. Alderman Wiswell provided a history of this Ordinance, which doesn’t involve imminent domain, but does address property quality. Aging housing can create safety issues and standards should be defined. He commends Building Inspector Pilger’s professionalism in the face of this contentious issue. City Administrator Marsh commends the Commission for their work, which garnered a great deal of public comment. There are properties in Monona that fail to meet standards and the Building Inspector needs something to use to address these issues. Mayor Miller and members agree a copy with the City Attorney’s changes should go back to the next Public Safety Commission for final review.

MISCELLANEOUS BUSINESS

Mayor Miller began Discussion of Potential Committee Consolidation. The effort was made to ease the burden on Council members and staff; he is aware the City has more committees than other municipalities. Most committees want to remain as is. He suggests a single Alder chair with another Alder as a back-up in case of absence. Members discussed their committee’s wishes. Alderman Kugle reported the Public Works Committee agreed the Ad Hoc Flood Mitigation Committee could be disbanded as Belle Isle has been transformed positively. Mayor Miller asks members to email him or City Administrator Marsh with a list of the top five committees that members would be most interested in staffing.

REPORTS

Alderman Munson reported the expanded bus schedule will begin on May 1st, and the new buses are already in use.

Aldermen Kugle and Wiswell reported they have withdrawn their candidacies, but their names have remained on the ballot. City Clerk Andrusz provided further election information.

City Administrator Marsh reported the City’s Summer/Fall Newsletter is online and will be in the mail next week.

Mayor Miller reported the Monona Drive Phase I Reconstruction project has received five first place awards, the most recent the Grand award for the top project in the State. The project received a finalist award in Washington D.C. as one of the top projects in the country.

Council President Wood will conduct the next meeting on April 16, as Mayor Miller will be out of the country. The Organizational Meeting with the new City Council will be on April 17.

APPOINTMENTS

There were no Appointments.

ADJOURNMENT

A motion by Alderman Wiswell, seconded by Alderman Speight, to adjourn, was carried. (8:23 p.m.)

Joan Andrusz
City Clerk