

MONONA CITY COUNCIL MINUTES
March 5, 2012

The regular meeting of the Monona City Council was called to order by Mayor Miller at 7:30 p.m.

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

Excused: Alderman Dennis Kugle

Also Present: City Administrator Patrick Marsh, City Attorney Bill Cole, Finance Director Marc Houtakker, Public Works Director Dan Stephany, Project Coordinator Janine Glaeser, and City Clerk Joan Andrusz

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

A motion by Alderman Wiswell, seconded by Alderman Speight to approve the City Council minutes of February 20, 2012, was carried.

APPEARANCES

Members of the local Girl Scout Troup joined Mayor Miller at the podium as he read and presented a Proclamation Declaring March 12-16 Girl Scout Week in the City of Monona.

President Jim Bisbee and members of the Monona Festival Committee presented Fire Chief Scott Sullivan and Police Chief Walter Ostrenga a Donation for Automated External Defibrillators (AED's) to the Monona Police and Fire Departments in the form of an \$18,117.00 presentation check.

Bill Noltner, 4812 Winnequah Road appeared before the Council to speak and display photographs for informational purposes on the drainage ditch problems at Fireman's Park.

Deb Noltner, 4812 Winnequah Road appeared before the Council to speak and present a petition regarding Fireman's Park.

Police Chief Walter Ostrenga, 5211 Schluter Road appeared before the Council to thank members for their recent actions on salaries, squad equipment, and the unmarked squad car and the Festival Committee for the AED donation.

Police Officer Curtis Wiegel, 5211 Schluter Road registered in favor of the City Administrator employment agreement amendment.

The following individuals appeared before the Council and spoke in favor of the City's sustainability commitment:

- Heather Gates, 207 West Dean Avenue
- Peter McKeever, 6302 Southern Circle
- Mari Westin, 4320 Winnequah Road

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The following individuals registered in favor of the City's sustainability commitment:

- Suzanne Wade, 6113 Midwood Road
- Christina Marsh, 5309 Flamingo Road
- Dianne' Aldrich, 6020 Kristi Circle
- Marena Kehl, 6302 Southern Circle
- Melissa Zetz, 1411 Joyce Road

City Attorney Cole reported he was asked to review the City's special assessment authority and the statute a citizen cited regarding harbors and navigable waters in which assessments are only allowed with citizen approval. The special assessment statute is in conflict with this, but is very broad and has not been challenged in this way. The City should rely on the statute, and the assessment formula that states anyone who benefits from the project has to be assessed. A recent survey may have created ambiguity, but everyone will be assessed whether or how they signed that document. The City's special assessments may be challenged in court, but the harbor statute would most likely not be relevant or prevail.

The following individuals registered in favor of the Belle Isle dredging assessment process:

- Russ Tieman, 5604 Tecumseh Avenue
- Dan Jaworski, 5602 Tecumseh Avenue
- Gerald Zeutzius, 5718 Tecumseh Avenue
- Jim Lampe, 1402 Neponset Trail
- Bill Arnold, 1222 Birch Haven Circle
- Jim Sainsbury, 1306 Neponset Trail
- Craig Anderson, 1308 Neponset Trail
- Sherry Anderson, 1308 Neponset Trail

PUBLIC HEARING

There was no Public Hearing.

CONSENT AGENDA

There was no Consent Agenda.

UNFINISHED BUSINESS

A motion by Alderman Wiswell, seconded by Alderman Busse to remove from the table Consideration of Resolution 12-02-1839 Approving a Loan to the Community Development Authority (CDA) to Fund the Renew Monona Housing Renewal Loan Program, was carried.

Alderman Busse stated this was tabled at the last meeting to allow CDA review. The City would lend funds for the Renew Monona program to be repaid in 2013 when TID 6 funds are received. City Administrator Marsh reported the \$39,000 funding comes from the General Fund for the CDA loan, using health insurance cost savings that would be paid back.

A motion by Alderman Wiswell, seconded by Alderman Busse to approve Resolution 12-02-1839 Approving a Loan to the Community Development Authority (CDA) to Fund the Renew Monona Housing Renewal Loan Program, was carried.

Alderman Wood reported the License Review Committee determined an Arcade License is required but no services are being performed by the City. Fee and forfeiture references were added as part of this Ordinance. Finance Director Houtakker reported a \$1,300 budget impact.

A motion by Alderman Wood, seconded by Alderman Busse to approve Ordinance 2-12-636 Repealing Title 7, Chapter 10 of the Code of Ordinances Related to Mechanical or Electronic Amusement Devices, was carried.

NEW BUSINESS

Agenda items were taken out of order to accommodate those present.

Alderman Wood stated Ordinance 3-12-637 Amending Section 7-2-15 of the Code of Ordinances Regarding Closing Hours for Class "A" Liquor requires further review and should be postponed.

Mayor Miller began Discussion and Potential Action Regarding Dredging Assessment Process, stating this has been discussed and publicly aired for years and has been contentious. All citizens will be participating in the cost. The ultimate, difficult decision is the Council's. The work was delayed to ease the burden of also having street assessments at the same time. The first dredging special assessment will be on the 2014 tax bill, and citizens are given up to eight years to pay. Better bids were received.

Finance Director Houtakker reported the amount of borrowing for the 2012 Capital Budget has to be determined by the first week in April. Because this is funded by the stormwater utility only, there are issues if funds are borrowed and the project isn't done and also if the funds aren't borrowed and project is done.

Alderman Wood stated bids could be at the next Council meeting and then proceed with any special assessment required. Public Works Director Stephany reports bids were received by February 9, and the low bidder granted an extension. The first reading on April 2 would be for a preliminary hearing on assessments. There are engineer reports, a public notice publication, and other paperwork he has to complete.

Alderman Wiswell reported the engineering work has been done; permits and DNR approvals have been received. Interest rates are low. The project should be done now, and then won't have to be repeated for years. Alderman Speight agrees, and states the Council has the power to make this tough but necessary decision. The ambiguity should be removed; there is no opt-out option.

City Attorney Cole stated action should not be taken tonight. The statute must be followed, including report of assessments and costs and a public hearing. Mayor Miller stated immediate action will be taken on this at the next meeting. Alderman Wood stated this project is in the budget now and has Council support; funds should be borrowed. Mayor Miller stated this will be "starred" for immediate action on the next Agenda, or a special meeting could be held, if needed.

Alderman Munson reported Resolution 12-03-1843 A Commitment to Sustainability in the City of Monona is an attempt to solidify and formalize the work of the Committee. Project Coordinator Glaeser reported the Committee wants to create a long term plan to apply sustainability principals to the City's decision-making process. The four guidelines are specific enough to form an effective groundwork for policy-making. Mayor Miller stated it is positive that the City is becoming known for its sustainability efforts.

Mayor Miller began discussion of Resolution 12-03-1841 Approving an Amendment to the Employment Agreement with the City Administrator, whose current contract expires December 31, 2012. This includes an additional year. \$56,000 of the funds set aside from the health insurance savings was used to bring non-represented employee salaries in line with their peers, but excluded the City Administrator because there was a contract in place. This increase will come from the remainder of the set-aside funds. The Mayor's \$5,000 discretionary funds will not be used for this. City Administrator Marsh stated he is happy to stay as long as the City Council and Mayor want him to remain.

A motion by Alderman Wood, seconded by Alderman Busse to suspend the rules and take action on Resolution 12-03-1842 Authorizing the Approval of Final Offers for Monona Drive Phase III Land Acquisitions, was carried.

City Administrator Marsh reported that as in Phases I & II this Resolution authorizes different levels of approval for the City Administrator, the Finance & Personnel Committee, and the City Council, with a language change from Phase II. This needs to move forward because appraisers are already working. Alderman Wood read in his amendments, which were amended by Alderman Wiswell and accepted.

The words, "...or 10% (whichever is greater)..." were stricken from the "Now, Therefore, Be It Resolved" section. The words, "...or 15% (whichever is greater)..." were stricken from the "Be It Further Resolved" section.

A motion by Alderman Wood, seconded by Alderman Busse to approve Resolution 12-03-1842 Authorizing the Approval of Final Offers for Monona Drive Phase III Land Acquisitions, as amended. On a roll call vote, all members voted in favor of the motion.

MISCELLANEOUS BUSINESS

There was no Miscellaneous Business.

REPORTS

Alderman Munson reported the Mass Transit Commission plans to maintain current routes but will extend the end of the route to include the Veteran's, University of Wisconsin, Meriter, and St. Mary's hospitals. Current riders will be unaffected. Finance Director Houtakker will research subsidies from the hospitals.

Alderman Wiswell reported the Public Works Committee will be interviewing six engineering firm candidates on Wednesday. He asks those present to acknowledge the tragic passing of the UW Stevens Point student, Eric Duffey.

Alderman Wood reported there is a special Parks & Recreation Board meeting tomorrow to review Fireman's Park shelter designs.

City Administrator Marsh reported the Senior Center's St. Patrick's Day lunch is at noon on Thursday and will be well attended. The Menards Grand Re-Opening begins this weekend.

Mayor Miller congratulates former Mayor Richard Lichtfeld on the award he received in Florida for his restoration of an antique plumbing vehicle. Monona Drive Phase I has received another national honor. Residents and those present are urged to visit City Hall to see the paint and clean-up improvements, and that the Receptionist is now behind safety glass.

APPOINTMENTS

A motion by Alderman Busse, seconded by Alderman Wood to approve the following Appointments, was carried:

1. Laura Bowles, Election Inspector.
2. Wayne Kimmell to the License Review Committee (May 2012–May 2014).
3. Scott Warner to the License Review Committee (May 2012–May 2014).

ADJOURNMENT

A motion by Alderman Wood, seconded by Alderman Speight, to adjourn, was carried. (9:07 p.m.)

Joan Andrusz
City Clerk