

## MONONA CITY COUNCIL MINUTES

June 4, 2012

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

Present: Alderpersons Brian Holmquist, Kathryn Thomas, Jim Busse, Doug Wood, and Chad Speight

Excused: Alderperson Mary O'Connor

Also Present: City Administrator Patrick Marsh, City Attorney William Cole, Building Inspector Martin Pilger, Public Works Director Dan Stephany, Project Coordinator Janine Glaeser, Laurel Sukup from the Wisconsin Department of Natural Resources, John Stolzenberg of 1,000 Friends of Wisconsin, Fire Chief Scott Sullivan and City Clerk Joan Andrusz

### ROLL CALL AND PLEDGE OF ALLEGIANCE

### APPROVAL OF MINUTES

A motion by Alder Busse, seconded by Alder Holmquist to approve the City Council minutes of May 7, 2012, was carried.

### APPEARANCES

The following individuals appeared before the Council and spoke against aspects of the Minimum Housing Maintenance Ordinance:

- Charles Dykman, 4611 Tonyawatha Trail
- Joe Chern, 5301 Tonyawatha Trail
- Jim Guilfoil, 5306 Tonyawatha Trail

### PUBLIC HEARING

There was no Public Hearing.

### CONSENT AGENDA

A motion by Alder Wood, seconded by Alder Thomas to approve the following, was carried:

1. Renewal Applications for 2012/2013 Class "A" Fermented Malt Beverage Licenses:
  - a. PDQ Food Stores, Inc., d/b/a PDQ Store #123, 105 East Broadway
  - b. Speedway LLC Owned by MPC Investment LLC, d/b/a Speedway #4088, 5450 Monona Drive
  - c. Speedway LLC Owned by MPC Investment LLC, d/b/a Speedway #4533, 2500 Royal Avenue
  - d. Kwik Trip Inc, d/b/a Tobacco Outlet Plus #531, 6300 Monona Drive, Suite 2
2. Renewal Applications for 2012/2013 Class "A" Fermented Malt Beverage and "Class A" Liquor Licenses:

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- a. Roundy's Supermarkets, Inc./Ultra Mart Foods, LLC, d/b/a Copps Food Center #8181, 6540 Monona Drive
  - b. Felleron, Inc., d/b/a Ken's Meats & Deli, 5725 Monona Drive
  - c. Licali's Market, Inc., d/b/a Licali's Market & Spirits, 6325 Monona Drive
  - d. Monona Mart, LLC, d/b/a Monona Mart, 1220 East Broadway
  - e. Walgreen Co., d/b/a Walgreens #4830, 5300 Monona Drive
  - f. Wal-Mart Stores East LP, d/b/a Wal Mart Supercenter #3857, 2151 Royal Avenue
3. Renewal Applications for 2012/2013 Class "B" Fermented Malt Beverage and "Class B" Liquor Licenses:
- a. Patrick Augustine, d/b/a Angelo's, 5801 Monona Drive
  - b. Bourbon Street Grille, Inc., d/b/a Bourbon Street Grille, 6312 Metropolitan Lane
  - c. William D. Noltner, d/b/a Bridge Lounge, 6414 Bridge Road
  - d. Wings on Monona, LLC Owned by Oscar Properties LLC, d/b/a Buffalo Wild Wings Grill & Bar, 6544 Monona Drive
  - e. Blake & Blake, d/b/a David's Jamaican Cuisine, 5734 Monona Drive
  - f. The East Side Club, Inc., d/b/a East Side Club, 3735 Monona Drive
  - g. Mr. Luo LLC Owned by Jun Luo, d/b/a Edo Garden Japanese Restaurant, 6309 Monona Drive
  - h. Fat Jack's Monona, Inc., d/b/a Fat Jack's, 6207 Monona Drive
  - i. Conway & Conway, d/b/a Joe's Fire Station, 900 East Broadway
  - j. Monona Garden Family Restaurant, Inc., d/b/a Monona Garden Family Restaurant, 6501 Bridge Road
  - k. Red Robin International, Inc., d/b/a Red Robin America's Gourmet Burgers & Spirits, 6522 Monona Drive
  - l. Valdimark, Inc., d/b/a Silver Eagle Bar & Grill, 5805 Monona Drive
  - m. Snick's Sportsman's Bar LLC, d/b/a Snicks Sportsman's Bar, 4605 Monona Drive
  - n. Tasting Room of Monona, Inc., d/b/a The Tasting Room, 6000 Monona Drive, Suite 103
  - o. Wiltzius LLC, d/b/a The Tower Inn, 1008 East Broadway
  - p. Leske's, Inc., d/b/a Tully's II Food & Spirits, 6401 Monona Drive
  - q. Badger Bowl, Inc., d/b/a Village Lanes, 208 Owen Road
4. Renewal Application for 2012/2013 "Class A" Liquor License:
- a. Fraboni's Italian Specialties, Inc., d/b/a Fraboni's, 108 Owen Road
5. Renewal Applications for 2012/2013 Class "B" Fermented Malt Beverage and "Class C" Wine Licenses:
- a. Huang & Lin China Star Owned by Ming Yi Huang, d/b/a China Star Restaurant, 111 River Place
  - b. The Noodle Shop, CO. – Wisconsin, Inc., d/b/a Noodles & Company, 6520 Monona Drive
  - c. Pizza Oven of Monona LLC, d/b/a The Pizza Oven, 5417 Monona Drive
  - d. Jiang & Chen Enterprise LLC, d/b/a World Buffet, 2451 West Broadway
6. Renewal Application for 2012/2013 Class "B" Fermented Malt Beverage License:
- a. Mitchell Marks, Monona Community Center, 1011 Nichols Road

UNFINISHED BUSINESS

Mayor Miller, members, and City Attorney Cole discussed changes and clarifications to Ordinance 3-12-638 Amending Section 15-1-81 of the Code of Ordinances Concerning Minimum Housing and Property

Maintenance, including what is acceptable as a paved driveway and language regarding the definition of “person”. Building Inspector Pilger stated this document will be a workable tool and an improvement to current Ordinances in performing his duties.

A motion by Alder Speight, seconded by Alder Thomas to delete the definition “Person” and amend the definition of “Owner” to “Any individual, firm, corporation, association, partnership, limited liability partnership, limited liability company, or similar entity having...” and “Owner shall also include...” Additionally, in the section regarding “Vacant Buildings”, the word “person” will be replaced with “owner, operator, or occupant” and in the section regarding “Penalty.”, the word “person” will be replaced with “owner, operator, or occupant”. The motion was carried.

A motion by Alder Busse, seconded by Alder Speight to rename the section “Unsightly Premises” to “Health and Safety” and remove the word “appearance”, was carried.

A motion by Alder Busse, seconded by Alder Speight to amend Section 15-1-81(d) Paved Driveways to include the phrase “pervious paver” after the word “brick” and to strike the word “hard”, was carried.

A motion by Alder Speight, seconded by Alder Busse to amend Section 15-1-81(f)(1)c. to strike the words “an impervious surface” and insert the words “a paved driveway as defined in subsection d. above.”, was carried.

A motion by Alder Busse, seconded by Alder Holmquist to amend Section 15-1-81(f)(1)b.2. to “9” consecutive months”, was carried.

A motion by Alder Busse, seconded by Alder Thomas to amend Section 15-1-81(f)(1)d. to remove the words “commercial truck” and add the word “or” between “semi-tractor and semi-trailer”, was carried.

A motion by Alder Holmquist, seconded by Alder Thomas to strike section 15-1-81(c)(9) regarding keeping driveways and parking areas dust-free, was carried.

A motion by Alder Thomas, seconded by Alder Holmquist to approve Ordinance 3-12-638 Amending Section 15-1-81 of the Code of Ordinances Concerning Minimum Housing and Property Maintenance as amended, was carried.

## NEW BUSINESS

A motion by Alder Busse, seconded by Alder Wood to suspend the rules and take action on Resolution 12-06-1863 Approval of Intergovernmental Cooperation Agreement for Impartial Hearing Officers, was carried.

City Administrator Marsh reported prior Council action amended the grievance procedure to comply with Act 10. The Wisconsin Municipal Administrator Association looked at pooling resources to staff this position. Middleton, Sun Prairie, Verona, and Monona were the first to agree to share these duties at no cost to the municipalities. The need will be rare and staff will “take turns” so the time burden is equally shared. Mayor Miller commends this cost saving measure.

A motion by Alder Busse, seconded by Alder Wood to approve Resolution 12-06-1863 Approval of Intergovernmental Cooperation Agreement for Impartial Hearing Officers, was carried.

A motion by Alder Holmquist, seconded by Alder Thomas to suspend the rules and take action on Resolution 12-06-1864, 2011 Compliance Maintenance Annual Report (CMAR) Review and Recommendations, was carried.

Public Works Director Stephany reported this is an annual “report card” required by the DNR. Monona’s grade is “A” again this year. An equipment replacement fund will be in place next year to cover failures, a level of preparedness the DNR favors.

A motion by Alder Thomas, seconded by Alder Holmquist to approve Resolution 12-06-1864, 2011 Compliance Maintenance Annual Report (CMAR) Review and Recommendations, was carried.

A motion by Alder Wood, seconded by Alder Speight to suspend the rules and take action on Resolution 12-06-1866 Purchase Approval of 2012 Phase I SCADA Systems Upgrade, was carried.

Public Works Director Stephany reported bids were reviewed and L. W. Allen was half the cost of the others. The City has a long, positive history with this vendor and it is close to the Public Works Garage. They drafted the bid specifications, and it was reviewed to verify the bid, which was on specific equipment. This has been approved by the Finance & Personnel Committee and will be reviewed by the Public Works Committee. If this is not approved there it will come back to the Council for review.

A motion by Alder Wood, seconded by Alder Thomas to approve Resolution 12-06-1866 Purchase Approval of 2012 Phase I SCADA Systems Upgrade pending Public Works Committee approval. On a roll call vote, all members voted in favor of the motion.

A motion by Alder Speight, seconded by Alder Wood to suspend the rules and take action on Resolution 12-06-1867 A Resolution in Support of the Green Tier Charter for Legacy Communities, was carried. Alder Busse voted against the motion.

A motion by Alder Speight, seconded by Alder Wood to approve Resolution 12-06-1867 A Resolution in Support of the Green Tier Charter for Legacy Communities, voted against by Alder Busse was later changed.

Project Coordinator Glaeser, Ms. Sukup, and Mr. Stolzenberg reported this program provides groundwork for sustainability set with short term goals, and a long term plan is needed. The Sustainability Committee voted unanimously to become a member along with five other municipalities. A slide presentation outlined the program. No committee is required, just continued progress toward the goals. The charter is opened up to five more participants, but is on a first-come, first-served basis. The deadline to sign on is July 30 at the quarterly meeting, so there is time to provide more information before Council approval.

Mayor Miller and members expressed the need for more information on future costs, staff time needed, what this program does, and the benefit of participation to the City.

A motion by Alder Thomas, seconded by Alder Wood to table Resolution 12-06-1867 A Resolution in Support of the Green Tier Charter for Legacy Communities, was carried.

MISCELLANEOUS BUSINESS

There was no Miscellaneous Business.

REPORTS

Fire Chief Sullivan reported the ambulance specifications are due on Friday. The Department will be using new care protocols. Mayor Miller, members, and the public are invited to an inaugural swearing-in ceremony of volunteer Fire Fighters in the fire station on June 26 at 7:00 p.m. This will become an annual event and will include the pinning of badges to the uniforms of those who have passed probation. The event is an expression of pride in both the career and volunteer Fire Fighters.

City Clerk Andrusz reminded everyone that photo ID is not required at tomorrow's Recall Election.

Mayor Miller thanks Terri Groves and the Chamber of Commerce for the great Memorial Day Parade. Saturday was the 3<sup>rd</sup> annual Sawyer Crossen Triathlon. Attendance has grown from 40 the first year to 200 this year. Salad Creations is open for business, and residents are encouraged to patronize them and other City businesses. It was a wonderful experience serving as the high school commencement speaker.

APPOINTMENTS

A motion by Alder Thomas, seconded by Alder Holmquist to approve the following Appointments, was carried:

1. Jerry Chapa to the Committee on Family Attraction, Retention, and City Promotion (May 2012–May 2015).
2. Lawrence C. Reed to the Public Safety Commission (May 2012–2014).
3. Lindsay Wood Davis to the Broadband Telecommunications Advisory Committee (May 2012–2015).
4. William Bland to the Sustainability Committee (May 2012–2015).
5. Maggie Baum to the Committee on Family Attraction, Retention, and City Promotion (May 2012–2015).
6. Kate Kvale to the Mass Transit Commission (May 2012–2014).

ADJOURNMENT

A motion by Alder Wood, seconded by Alder Speight, to adjourn, was carried. (9:53 p.m.)

Joan Andrusz  
City Clerk