

MONONA CITY COUNCIL MINUTES
May 6, 2013

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 Mary O'Connor, Brian Holmquist, Kathy Thomas, Jim Busse, and Doug Wood. Alderperson Chad Speight was scheduled to arrive late.

Also Present: City Administrator Patrick Marsh, Public Works Director Dan Stephany, City Attorney William Cole, Recreation Director Jake Anderson, Detective Sergeant Ryan Losby, Project Coordinator Janine Glaeser, Kurt Reinhold and James Yockey from Solar Connections, LLC, Jim Williamson from Falcon Energy Systems, LLC, and City Clerk Joan Andrusz

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

A motion by Alder Thomas, seconded by Alder O'Connor to approve the Minutes from April 16, 2013, was carried.

APPEARANCES

There were no Appearances.

PUBLIC HEARING

There was no Public Hearing.

CONSENT AGENDA

There was no Consent Agenda.

UNFINISHED BUSINESS

Public Works Director Stephany reported that at the last Council meeting complete resident contact was requested regarding Schluter Beach channel maintenance. This was accomplished, the assessment process and components of the project were explained, and 100% are in favor of this project. The Council also requested the project scope and costs be broken out between dredging (\$14,045) and channel rehabilitation (\$10,395), which was distributed. Recreation Director Anderson will be involved in the design to include any Schluter Beach Park work in the project. Alder Busse abstained from the vote due to professional conflicts.

A motion by Alder Thomas, seconded by Alder Wood to approve Resolution 13-04-1921 Amending the 2013 Capital Budget to Fund the Schluter Beach Channel Maintenance Project, and Approving a Civil Engineering and Surveying Services Proposal from SCS Engineers, was carried.

City Attorney Cole reported Treysta Group, LLC needed to extend and postpone their TID schedule for one year to accommodate the time needed to change their financing. This creates no change in the payment schedule. City Administrator Marsh reported Treysta closed sale on the property May 1.

A motion by Alder Busse, seconded by Alder Thomas to approve Resolution 13-04-1922 Approving an Amendment to the Development Agreement with Treysta Group, LLC, was carried.

NEW BUSINESS

A motion by Alder Thomas, seconded by Alder Wood to suspend the rules and take action on Resolution 13-05-1924 Requesting Dane County to Exercise its Municipal Park Powers within the Municipality, was carried.

Mayor Miller reported the City is requesting the same grant, which requires a Resolution to document the community's agreement to the project. Even though they are in competition, there is enough funding to distribute to multiple requestors. The scope of the project was outlined. City Administrator Marsh reported obtaining the Resolution is not part of the grant deadline but approval would speed the process.

A motion by Alder Thomas, seconded by Alder Wood to approve Resolution 13-05-1924 Requesting Dane County to Exercise its Municipal Park Powers within the Municipality, was carried.

Public Works Director Stephany reported Resolution 13-05-1925 Approval of Policy Establishing City Liability for Damage to Mail Receptacles Placed in the Street Right-of-Way is an attempt to formalize the policy of repair and replacement of postal standard-compliant mailboxes. This would include 4 x 4 wooden posts or break-away aluminum posts. Brick or stone structures in the right-of-way would be a liability to the City and this is an effort to limit that liability. This was approved by the Public Works Committee and amended by tonight's Finance & Personnel Committee to allow the City Administrator to amend the approved amount without requiring Council review.

Alder Thomas was assured by City Administrator Marsh that the policy manual will be completed by mid-year and will be numbered, dated, and organized by department for easy access.

A motion by Alder Wood, seconded by Alder Holmquist to suspend the rules and take action on Resolution 13-05-1926 A Resolution in Support of Submitting a "Partners for Recreation and Conservation" (PARC) Grant Application to Dane County, was carried.

Recreation Director Anderson reported there is an annual \$2 million pool provided by Dane County for publicly accessible projects that improve recreation possibilities. The finalization of the Treysta purchase allowed him to move forward on the required improvements. Vierbicher Associates created a design and completed the grant application, and a Resolution is required to complete the process. The Park & Recreation Board will review the design. Costs were reviewed. This project is also eligible for a State grant which will be applied for after this grant and requires a DNR permit.

Alder Thomas questioned whether non-motored boat opportunities are provided for residents. Recreation Director Anderson reported Lottes Park is a revenue generator for the City in terms of boat launch permit fees and the kayak rack there is not used. There are eight parking stalls for non-boat users.

A motion by Alder Holmquist, seconded by Alder O'Connor to approve Resolution 13-05-1926 A Resolution in Support of Submitting a "Partners for Recreation and Conservation" (PARC) Grant Application to Dane County, was carried.

Alder Speight arrived during the following discussion.

Detective Sergeant Losby provided information on Ordinance 5-13-645 Prohibiting Bullying and Harassment. Extensive work has gone into this with many revisions made. This Ordinance adopts State statutes including bullying, a course of conduct, and harassment Citywide as well as in the schools. It also prohibits cyber-bullying and retaliation and includes parental responsibility. This would be used rarely to issue a municipal citation in extreme cases of constant behavior problems.

Mayor Miller expressed concern about penalties being imposed without the offer of help, and was assured Police Officers have received applicable training. Alder Holmquist reported the School District and School Board has reviewed this, and agree the parental responsibility clause urges corrective action, but they are aware that there may be other issues that require other interventions. Alder Thomas reported the schools will continue their efforts, but this addresses conduct outside the school's jurisdiction, and will be used when all else fails. Alder Busse stated that while this is State law already, the City will be allowed act more quickly with a municipal citation than the District Attorney.

Sergeant Losby stated parental involvement is required for children aged 11 and under. There have been many cases of non-cooperative parents. Students and parents will be notified of this law via student handbooks and social media.

Alder Wood questioned a parent's ability to curb behaviors. City Attorney Cole stated a prior conviction is required to penalize parents, and there are a range of costs for the 1st through 3rd offense. A rebuttal presumption is in place. Truancy and property damage already carry parental responsibility. Case by case discretion will be used so parents who are making efforts won't be penalized.

Sergeant Losby reported Cottage Grove is waiting to adopt this Ordinance until Monona takes action. Once adopted, he will send this out to all Dane County jurisdictions. Monona will be one of the first few municipalities to adopt a bullying Ordinance.

Alder Busse requests a list of penalties for the next meeting, and questions whether other penalties, like community service, have been considered. Alder Thomas stated passing an Ordinance like this proclaims the community's values and respect for one another.

MISCELLANEOUS BUSINESS

There was no Miscellaneous Business.

REPORTS

Project Coordinator Glaeser announced the City's 1st Annual E-Cycling Drive this Saturday from 9:00 a.m. to 2:00 p.m. at the School District Offices in the Nichols School building at 5301 Monona Drive. The \$10 suggested donation will benefit the High School Golf Team.

Project Coordinator Glaeser provided a slide presentation for a Report on Proposed Solar Energy Project. This is a Falcon Energy Systems partnership funded by Solar Connections. This process has been reviewed by many committees. A facility review is needed to determine if the roofs can handle the panels, which are held down with weights with no roof penetrations. Final approval is desired by June 3.

The four proposed locations, chosen based on consumption, are City Hall, the Library, the Public Works Garage, and Well #3. The panels have a full replacement 25-year warranty. They would be owned and maintained the first 6 years by the third-party investor, Falcon Energy Systems. There is low visual impact from all angles. Mayor Miller stated this project adds 8% to the City's "25 by 25" Energy Independence goals.

Mr. Reinhold stated there will be a \$25,000 energy cost savings in Year One. Work will be done by a local solar panel installer. The City's cost will be \$300,000, 50% of retail. The City's investment would be the energy savings for the first 6 years, so would be a wash. Terms can be negotiated. Year Seven's buyout (if chosen) would be calculated as half the original price plus or minus the result of the savings times the Renewable Energy Credit (REC) units plus the lease payments. Or the City could continue the lease and pay energy credits.

Alder Busse requests more detailed information. The Library has its own budget so two separate analyses are needed. The City does not use lump sum borrowing – all Capital projects are borrowed for – so a debt service report is needed. Finance Director Houtakker will be consulted before the next meeting. Alder Wood suggested a Memorandum of Understanding (MOU) with the Library and Well #3.

Mayor Miller requested an explanation of why the City doesn't do this itself. Mr. Williamson explained a public/private partnership allows for IRS tax credits and savings that a public entity can't get. He will receive 30%, or \$180,000. The City will pay \$450,000 for a \$600,000 project. RECs have value and can be sold based upon market value. This agreement avoids MG&E's monopoly on electricity. An anticipated panel cost increase creates the desire for approval as soon as possible.

Alder Speight stated the energy savings pays the lease payments, providing cleaner energy at no additional cost. Mr. Yockey assured this has been vetted with MG&E. The City can sell RECs and will have quarterly invoicing for the solar energy savings below the utility's price. Wisconsin does allow third-party electricity sales. City Attorney Cole has not reviewed the contracts but stated a clause will be included making the agreement contingent upon utility approvals.

Alder Speight reported the Park & Recreation Board is continuing its facility reviews. Work is underway at Fireman's Park.

Alder Wood reported the License Review Committee will consider all of the alcohol license renewals at its next meeting.

Alder Holmquist reported the Public Safety Commission is working on several issues along with bullying, including an ambulance fee adjustment for non-residents.

Alder Thomas invited residents to take old Monona photographs to the Library for scanning for the 75th Anniversary celebration.

Alder Busse reported the Façade Improvement Grants have been extended into Monona Drive Phase II.

City Clerk Andrusz is working on updating license applications to match current Ordinances.

City Administrator Marsh reported a Department of Transportation meeting regarding Beltline expansion will be held Wednesday at 8:00 a.m. in the City Hall large conference room.

Mayor Miller reported he recently did a presentation to Edgewood College regarding the City's sustainability efforts. High traffic volume on Broadway will begin soon; caution is urged. The Senior

Prom “Swing Into Spring” was a successful, enjoyable event. The “Mayor’s Office” is now open at the Farmer’s Market on Sunday mornings. The Volunteer Appreciation Reception is May 15 at 6:00 p.m.

APPOINTMENTS

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

1. Alderperson Kathy Thomas to the Community Development Authority
2. Alderperson Brian Holmquist to the Committee on Sustainability
3. Jeff Besch to the Public Works Committee (May 2013–May 2015)
4. Paul Meyer to the Broadband Telecommunications Advisory Committee (May 2013–May 2016)
5. Gene Hanson to the Distinguished Service Award Committee May 2013–May, 2016)
6. To the Public Safety Commission (May 2013–May 2015):
 - a. Jack Fadness
 - b. Dennis Hanson
7. To the Plan Commission (May 2013–May 2016):
 - a. Sharon Devenish
 - b. Griffin Dorschel
8. To the Community Development Authority (May 2013–May 2017):
 - a. Scott Kelly
 - b. John Surdyk
9. To the Senior Citizens’ Commission (May 2013–May 2016):
 - a. Glenn Vosberg
 - b. Steve Halverson

ADJOURNMENT

A motion by Alder Wood, seconded by Alder Speight to adjourn, was carried. (9:24 p.m.)

Joan Andrusz
City Clerk