

MONONA CITY COUNCIL MINUTES
June 3, 2013

The regular meeting of the Monona City Council was called to order by Mayor Miller at 7:31 p.m.

Present: Mayor Robert Miller, Alderpersons Doug Wood, Chad Speight, Mary O'Connor, Brian Holmquist, Kathy Thomas, and Jim Busse

Also Present: City Administrator Patrick Marsh, City Planner Sonja Reichertz, Speedway Corporate officers: Regional Manager Rich Yost, Safety & Security Manager John Cunningham, Division Project Manager Jason Hunt, District Manager Jessica Wagner, and Royal Avenue Speedway Agent Daniel Schuett, Fire Chief Scott Sullivan, Public Works Director Dan Stephany, Project Coordinator Janine Glaeser, Director of Administrative Services Leah Kimmell, Senior Center Director Diane Mikelbank, Recreation Director Jake Anderson, and City Clerk Joan Andrusz

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

A motion by Alder Thomas, seconded by Alder Speight to approve the Minutes from May 20, 2013, was carried.

A motion by Alder O'Connor, seconded by Alder Speight to approve the Minutes from May 23, 2013, was carried.

APPEARANCES

City Administrator Marsh appeared before the Council to introduce City Planner/Assistant Economic Development Director Reichertz on her first official day. Her knowledge of the community, education, and skills placed her first in a pool of 40 applicants from across the country. City Planner Reichertz stated she looks forward to continuing and expanding the work she began as a Planning Intern.

PUBLIC HEARING

There was no Public Hearing.

CONSENT AGENDA

A motion by Alder Wood, seconded by Alder Speight to remove from the Consent Agenda and place into New Business Consideration of Renewal Applications for 2013/2014 Class "B" Fermented Malt Beverage and "Class B" Liquor Licenses for The East Side Club, Inc., d/b/a East Side Club, 3735 Monona Drive, was carried.

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

1. Renewal Applications for 2013/2014 Class "A" Fermented Malt Beverage Licenses:
 - a. La Rosita of Wisconsin, Inc., d/b/a La Rosita Latina, 6005 Monona Drive
 - b. PDQ Food Stores, Inc., d/b/a PDQ Store #123, 105 East Broadway

- c. Speedway LLC Owned by MPC Investment LLC, d/b/a Speedway #4088, 5450 Monona Drive
2. Renewal Applications for 2013/2014 Class "A" Fermented Malt Beverage and "Class A" Liquor Licenses:
 - a. Roundy's Supermarkets, Inc., d/b/a Ultra Mart Foods, LLC/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. Kwik Trip Inc., d/b/a Tobacco Outlet Plus #531, 6300 Monona Drive, Suite 2
 - f. Walgreen Co., d/b/a Walgreens #4830, 5300 Monona Drive
 - g. Wal-Mart Stores East LP, d/b/a Wal Mart Supercenter #3857, 2151 Royal Avenue
3. Renewal Applications for 2013/2014 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. Bridge Road, LLC Owned by William Noltner, d/b/a Bridge Lounge, 6414 Bridge Road
 - d. Blazin' Wings, Inc., d/b/a Buffalo Wild Wings, 6544 Monona Drive
 - e. Blake & Blake, d/b/a David's Jamaican Cuisine, 5734 Monona Drive
 - f. Mr. Luo, LLC Owned by Jun Luo, d/b/a Edo Garden Japanese Restaurant, 6309 Monona Drive
 - g. Fat Jack's Monona, Inc., d/b/a Fat Jack's, 6207 Monona Drive
 - h. Joe's Fire Station, LLC, d/b/a Joe's Fire Station, 900 East Broadway
 - i. Monona Garden Family Restaurant, Inc., d/b/a Monona Garden Family Restaurant, 6501 Bridge Road
 - j. Pizza Oven of Monona LLC, d/b/a The Pizza Oven, 5417 Monona Drive
 - k. Red Robin International, Inc., d/b/a Red Robin America's Gourmet Burgers, 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 Snick's 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 2013/2014 "Class A" Liquor License:
 - a. Fraboni's Italian Specialties, Inc., d/b/a Fraboni's, 108 Owen Road
5. Renewal Applications for 2013/2014 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. Jiang & Chen Enterprise LLC, d/b/a World Buffet, 2451 West Broadway
6. Renewal Application for 2013/2014 Class "B" Fermented Malt Beverage License:
 - a. Mitchell Marks, Monona Community Center, 1011 Nichols Road

UNFINISHED BUSINESS

City Administrator Marsh reported the McDonald's reconstruction is part of Redevelopment Area 7 so requires Council approval, along with CDA, which has approved it, and Plan Commission, which will consider exterior elements at its next meeting. The plan is in TIF compliance; the decision is whether the plan suits the area. The red brick has been changed to limestone to more closely resemble the way-finding signs.

A motion by Alder Busse, seconded by Alder Speight to approve Resolution 13-05-1927 Approval of Proposed Reconstruction of the McDonald's Restaurant and Site at 4905 Monona Drive, for Compliance with the Redevelopment Area #7 Project Plan, was carried.

NEW BUSINESS

Alder Wood provided information on a recent theft incident at Speedway – Royal Avenue. The thief was caught but the manager stated it was corporate policy not to press charges. The number of reported thefts has dropped dramatically in the last three years, from 109 in 2011 to 1 so far this year. The license was approved by a 3-2 vote at the License Review Committee. The concern raised by this brazen act of theft is that the store has a reputation of non-prosecution, which would increase thefts.

Mr. Yost apologized for the incident which was due to miscommunication between the corporation and store staff and won't happen again. Speedway does require approval to prosecute to make sure the information is correct, but does want police to be called. Beer sales are important to this location, which has been torn down, and a \$1.2 million reconstruction is underway. There is twice-yearly training regarding alcohol procedures. Mr. Yost regrets the impression was made that theft statistics were being manipulated. The corporation is committed to improving its relationship with the Police Department. The new store will have more cameras and Police Department involvement per discussions with Chief Ostrenga.

Mr. Cunningham stated the theft statistics may have changed due to the previous manager calling more often. The store went from post-pay to pre-pay gasoline sales, so that may have reduced thefts. Now managers are urged to get police involved more readily. Merchandise audits are performed four times each year, and alcohol loss is low.

Alder Thomas stated a liquor license is a privilege and allowing a reputation for non-prosecution hurts the business and the City, and questions whether Alder Wood is now more comfortable with license approval for this business. Alder Wood stated it is obvious Speedway takes the City's concerns seriously and brought staff to both this and the License Review Committee meetings to address issues.

A motion by Alder Wood, seconded by Alder Thomas to suspend the rules and take action on the Renewal Application for 2013/2014 Class "A" Fermented Malt Beverage License for Speedway LLC Owned by MPC Investment LLC, d/b/a Speedway #4533, 2500 Royal Avenue, was carried.

A motion by Alder Wood, seconded by Alder Thomas to approve the Renewal Application for 2013/2014 Class "A" Fermented Malt Beverage License for Speedway LLC Owned by MPC Investment LLC, d/b/a Speedway #4533, 2500 Royal Avenue, on the condition Speedway, LLC agrees to additional surveillance cameras as required by the Chief of Police, was carried.

Alder Wood provided information on the May 26 incident at the East Side Club which required extensive police mutual aid to bring under control. Municipal tickets were issued to two bartenders and the Agent, "Jack" Fadness. Underage service and over-service is of concern. Pending charges can be obtained for

Committee use, but the District Attorney would be notified. City Administrator Marsh reported not all information has been made public due to the ongoing investigation. Members questioned statutory requirements for the number of staff and line of sight. Alder Wood requested License Review Committee review this for possible non-renewal, which the Council would have ultimate authority to pursue.

A motion by Alder Busse, seconded by Alder O'Connor to refer to the License Review Committee Consideration of Renewal Applications for 2013/2014 Class "B" Fermented Malt Beverage and "Class B" Liquor Licenses for The East Side Club, Inc., d/b/a East Side Club, 3735 Monona Drive, was carried.

Fire Chief Sullivan reported Ordinance 6-13-646 Concerning Emergency Services Fees has two parts: an increase in the non-resident base rate and that billable item fees are approved by the Public Safety Commission. Base rate approvals would remain with the Council. There are more medications and equipment used now that the Department has achieved paramedic level. Mayor Miller stated rate comparison data wasn't available at tonight's Finance & Personnel Committee meeting. Alder Busse reported the Ordinance language "from time to time" was changed to "annually" and "at a minimum annually" in Section 1 and "at a minimum annually" in Section 3.

Public Works Director Stephany reported Resolution 13-06-1929 Award of Contract for 2013 Pump Station Variable Frequency Drives (VFD) Installation Project includes valve replacements and seven well station motors and will be reviewed by the Public Works Committee on Wednesday. An application will be made for a Focus on Energy grant for reimbursement of 30% of the VFD costs. The only bid received, which was questioned by the Finance & Personnel Committee, came in under budget. LW Allen is one of the only firms in Wisconsin doing this type of work and is fortunately close by.

Public Works Director Stephany reported a Resolution is required for approval of a "report card" of utilities, which will then be submitted to the Department of Natural Resources. The City received an "A". Sewer main lining will be done to save costs. An equipment replacement fund will be established in the next sewer budget for repair work, which is encouraged by the DNR. Mayor Miller cautions staff against having too many budget items for possibilities instead of firm costs.

A motion by Alder Busse, seconded by Alder Thomas to suspend the rules and take action on Resolution 13-06-1930 2012 Compliance Maintenance Annual Report (CMAR) Review and Recommendations, was carried.

A motion by Alder Busse, seconded by Alder Thomas to approve Resolution 13-06-1930 2012 Compliance Maintenance Annual Report (CMAR) Review and Recommendations. On a roll call vote, all members voted in favor of the motion.

City Administrator Marsh began discussion of Resolution 13-06-1931 Approval to Contract with CivicPlus for a New City Website, stating the staff team investigated various municipalities' websites. Project Coordinator Glaeser reported the team wanted to be able to send emergency alerts to residents. In comparing three vendors, Civic Plus was by far the best option. Residents can choose which alerts they want to receive. It is compatible with tablets, and alerts can be received via telephone, Facebook, or Twitter. GovOffice didn't have the alerts option, provided less assistance, and staff would have to do the data input.

Director of Administrative Services Kimmell reported Civic Plus provided the easiest way for users to obtain the information they want and need. There are modules to guide users through the system that are very user friendly. There was positive feedback on service and continuous, unlimited improvement is included, and it can keep up with changing technology. Four days of on-site training is included.

Senior Center Director Mikelbank reported the Family Attraction Committee wanted simplicity, and will review these options on Thursday. City Administrator Marsh stated the Senior Center and Recreation Departments are the heaviest website users. Recreation Director Anderson reported the program registration system would be hyper-linked as it is now.

Mayor Miller wants the current five departmental websites rolled into just one and challenges staff to make a case to the Council for keeping their separate sites, which are confusing to residents. While this proposal has been amended, he wants a thorough review so the City is not revisiting this in three years. Everything should be in writing. References should be checked, and the reasons why the other vendors were not chosen reported to the Council. Citizen polling is possible on this site, which is a valuable tool.

City Administrator Marsh reported most of the first year of this \$4,000 annual maintenance fee is already budgeted and costs can be divided among funding sources such as marketing, economic development, water, etc. The site will be re-written in four years. Members complimented the team on their work and understand municipal websites carry a lot of information so are costly. Ease of use is a primary goal.

MISCELLANEOUS BUSINESS

There was no Miscellaneous Business.

REPORTS

Alder Thomas reported the 75th Anniversary time capsule event will be at the Library on June 12. Registrations for the "Reflections" artwork project are due June 28. Artworks will be donated and auctioned. Drink coasters with Monona scenes will be for sale at the Festival. The School District wanted to report they worked together with the City on the bullying Ordinance.

Alder O'Connor reported the Broadband Committee has been re-scheduled to June 17.

Alder Speight reported the Transit Committee will review ridership of the new routes.

City Clerk Andrusz announces the Board of Review is on June 12.

City Administrator Marsh reported the golf outing fund raiser is planned for June 21st at resident-owned Door Creek golf course.

Mayor Miller reported he has received numerous contacts regarding the bullying Ordinance and congratulates Police Sergeant Ryan Losby on this achievement. The Memorial Day Parade was a very positive experience and participants and spectators want to keep it going every year.

APPOINTMENTS

There were no Appointments.

ADJOURNMENT

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

Joan Andrusz
City Clerk