

MONONA CITY COUNCIL MINUTES
March 3, 2014

The regular meeting of the Monona City Council was called to order by Mayor Miller at 7:04 p.m.

Present: Mayor Robert Miller, Alderpersons Jim Busse, Doug Wood, Mary O'Connor, Brian Holmquist, and Kathy Thomas. Alder Chad Speight arrived at 7:45 p.m.

Also Present: City Administrator Patrick Marsh, Public Works Director Dan Stephany, Recreation Director Jake Anderson, and City Clerk Joan Andrusz

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Alder O'Connor requests the first line of the first paragraph on Page 5, "Alder O'Connor suggested the rate information be added to the notification", become the last line of the paragraph.

A motion by Alder Busse, seconded by Alder Holmquist to approve the Minutes from February 17, 2014 as amended, 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 stated the following Resolution combines four stormwater projects into one and approves Strand Associates as the engineer. Design costs will be in the 2014 Capital Budget and administration and observation costs will be in 2015. The \$10,400 left will pay for permits, sediment sampling, and other costs. Mayor Miller stated these projects are budgeted without grants, but asks the City Clerk to ask the Finance Director if the leftover funds can be used for expenses. Alder Wood stated the Capital Budget is approved with expected grant funds included.

Public Works Director Stephany explained stormwater projects are prioritized based upon inclusion in Dane County's "top ten" projects needing work and grant fund availability. The price for cleaning the outfalls was found to be as much as re-doing them. A management plan will be developed for future stormwater projects.

A motion by Alder Thomas, seconded by Alder Holmquist to approve Resolution 14-02-1958 Amending the 2014 Capital Budget to Combine Storm Water Engineering Funds and Approving a Proposal from Strand Associates for Construction Design, Administration, and Observation Services for Storm Water Project. On a roll call vote, all members voted in favor of the motion.

Alder Wood explained that legislation was enacted that allows commercial quadricycles, allowing patrons to consume beer while pedaling a multi-passenger vehicle, unless a municipality passes an Ordinance to prohibit these operations. The City Attorney suggested passing an Ordinance before applications are received, as any received would have to be approved. If a proposal is received that the Council would like to consider the Ordinance could be reviewed.

A motion by Alder Wood, seconded by Alder O'Connor to approve Ordinance 2-14-658 Pertaining to Commercial Quadricycles, was carried.

Alder Wood began discussion of the outdoor alcohol consumption Ordinance. Current smoking areas would be grandfathered in; however that status would be lost if an establishment applied for a patio in the same area. Smoking areas are open until bar time and only accessible through the establishment. The sight line of Operators to the patio area is covered by Statute requirements. The Plan Commission would review applications as received. This is a permit, not a license and does not include property rights. Surveillance is required, but an application could be approved contingent upon the Police Chief's approval of the system used. The differences between a patio and a beer garden were discussed. Food is optional in a patio, but table seating is required.

Smoking area Statutes and Ordinances were distributed for review. Alder Busse stated that wait service provided by an Operator makes the area a "place of employment" and smoking should not be allowed. Members discussed Statutes and Ordinances that allow outdoor smoking except within a "reasonable distance" from an entrance. Alder Wood questioned a local authority's ability to prohibit outdoor smoking, and the smoking Ordinance may need revision from stating "five feet from an entrance" as describing the distance is not allowed per Statute.

A motion by Alder Thomas, seconded by Alder Busse to amend Ordinance 2-14-657 Permitting the Outdoor Consumption of Alcohol to prohibit smoking in both patios and beer gardens, subject to City Attorney review of whether the City is allowed this prohibition, was carried. Alder Wood voted against the motion.

A motion by Alder Wood, seconded by Alder Busse to approve Ordinance 2-14-657 Permitting the Outdoor Consumption of Alcohol as amended, was carried.

Alder Wood will contact the City Attorney regarding the outdoor smoking prohibition and whether the smoking Ordinance needs revision.

NEW BUSINESS

Public Works Director Stephany provided information on Ordinance 3-14-659 An Ordinance Concerning the Water Utility. A copy approved by the Public Works Committee and City Attorney was distributed. This is an effort to bring the Ordinance up to current Statute language and include Department of Natural Resources (DNR) requirements. Mayor Miller questioned whether private wells are required to be capped upon sale of the property. Public Works Director Stephany will contact the DNR for this information, which is important as there are approximately 158 wells in the City, mostly used for lawn watering and swimming pool filling. No new wells are allowed.

Alder Wood suggests removing the word “required” from the title of section 9-1-6 to lessen confusion. The Public Service Commission (PSC) code was distributed. A water leak adjustment process would start with the Public Works Committee, then the Finance & Personnel Committee with recommendation to the Council. The current Ordinance obligated the Council to give credits.

Mayor Miller and members requested the credit process be clarified in the Ordinance language, including winter freeze prevention and destruction of property to clarify the City credits the water usage only. Alder Wood requested Section 9-1-15 “water leak credit” be changed to “leak adjustment” and include “as amended from time to time”, with the caveat that the resident has to be unaware of the leak. Alder Busse stated if the State makes changes the City’s Ordinance would be incorrect. Alder Thomas suggested a policy manual could be referred to so the Ordinance wouldn’t have to be changed. Public Works Director Stephany stated policy binders are maintained at all Public Works staff desks. He will work on the language to make it more detailed and explanatory, rather than just referring to the PSC, as reading an Ordinance is easier for the public.

Cross connection was discussed. As an example, Public Works Director Stephany stated that commercial industries use soap in machinery cleaning apparatus that is connected to the water supply. The backflow from this should be checked to make sure the chemicals don’t go back into the water supply.

MISCELLANEOUS BUSINESS

Public Works Director Stephany reported residents are asked to continue running a pencil-sized stream of cold water from one faucet, probably through March, even if it gets warmer because frost gets pushed down as the surface thaws. More compliance is being seen. The calculation for the credit is done with flow testing. Alder Speight questioned the effect of a resident using too much. Public Works Director Stephany stated an example of proper flow is on the website, and if followed the credit should be correct. The steam equipment from Canada is on back-order due to high demand for the product.

REPORTS

The Report from Jake Anderson, Parks and Recreation Director included a Power Point presentation with a staff flow chart and an overview of department activities. Information on the 21 City parks included new equipment and a shelter, with future plans reviewed. The option of a tree farm was considered but deemed too time consuming and costly. City Administrator Marsh reported a joint tree purchasing effort with area municipalities is being considered with a possible tree farm.

Recreation programs, Community Center usage, and special events both new and annual were reviewed. Swimming pool upgrades were discussed. Alder O’Connor suggested this presentation be put on the City’s website. Recreation Director Anderson is working on a reporting matrix to gauge the success of programs, especially in terms of staff time required.

Mayor Miller would like the Recreation Department to increase focus on the race divide in student achievement and participation, requests a report on the Frost Woods Park trees that were removed, and requests a “Welcome” tent be placed at events in response to the City survey results showing new residents felt like outsiders. Alder Thomas suggests a monthly “newcomers” event.

Alder O’Connor reported the Broadband Committee will take a facility tour and discuss the low power FM station. Mayor Miller reported Media Coordinator Andrew Hagen has resigned and the job description will be updated.

Alder Wood thanks the Friends of the Monona Public Library for their donation of \$6,000 for children and teen programming. 50th Anniversary Library cards are available for \$5. Library project construction estimates were \$15,000 over budget. The Library team won the Team Trivia fundraising event.

Alder Busse reported the Plan Commission approved the use of a space across from the High School for a Greek take-out restaurant.

City Administrator Marsh reported the CDA will meet tomorrow night and the next Plan Commission meeting will be March 24.

Mayor Miller displayed a Madison Area Building Association publication that featured Monona and the City's development successes.

APPOINTMENTS

A motion by Alder Wood, seconded by Alder O'Connor to approve the following Appointment was carried. Alder Holmquist abstained from the vote.

Rebecca Holmquist to the Landmarks Commission (effective March 2014–May 2016).

ADJOURNMENT

A motion by Alder Wood, seconded by Alder Speight to adjourn, was carried. (9:35 p.m.)

Joan Andrusz
City Clerk