

MONONA CITY COUNCIL MINUTES
June 18, 2018

The regular meeting of the Monona City Council was called to order by Mayor O'Connor at 7:01 p.m.

Present: Mayor Mary K. O'Connor, Alderpersons Doug Wood, Andrew Kitslaar, Jennifer Kuhr, Molly Grupe, Nancy Moore, and Chad Speight (via telephone)

Also Present: City Administrator April Little, City Attorney William Cole and Law Clerk Joe Malone, Public Works Director Dan Stephany, Jaye Clemmons from Mr Brews Tap House Monona, Kevin Carey from Village Lanes, City Planner/Economic Development Director Sonja Kruesel, Project Manager Brad Bruun, and City Clerk Joan Andrusz

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

Alder Wood noted the date of the Public Works Committee meeting referenced on Page 4 in the second paragraph of New Business should be corrected to June 6.

A motion by Alder Moore, seconded by Alder Grupe to approve the Minutes of the June 4, 2018 City Council meeting as amended, was carried.

APPEARANCES

Mayor O'Connor read and presented a Proclamation Recognizing Robin Schmidt for 10 Years of Service on the Dane County Board. Ms. Schmidt spoke expressing gratitude for this recognition and that it was her honor to serve her community.

Robert Procter, 6101 Gateway Green appeared before the Council and spoke for informational purposes regarding Gateway Green flooding.

MESBA CEO Kristie Schilling, 4502 Gordon Avenue appeared before the Council and spoke in favor of Mr Brews Tap House Monona's liquor license.

PUBLIC HEARING

There was no Public Hearing.

CONSENT AGENDA

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

1. Approval of Applications for 2018/2019 Operator Licenses:
 - a. Marly Jo Regel, Breakwater
 - b. Sarah Jo Steffes, Breakwater
 - c. Brenda L. Howe, Snicks Sportman's Bar
 - d. Chris R. Tingley, Snicks Sportman's Bar

2. Approval of Application for 2018/2020 Operator License:
 - a. Oliver G. Setterlund, Mr Brews Taphouse

3. Approval of Renewal Applications for 2018/2019 Operator Licenses:
 - a. Sonya R. Green, Tower Inn
 - b. John Lockwood, Joe's Fire Station
 - c. Sarah J. Paterson, Joe's Fire Station
 - d. Christy A. Torpy, Joe's Fire Station
 - e. Jeffrey L. Winge, Joe's Fire Station
 - f. Nathan Ng, Ken's Meats & Deli
 - g. Patricia O'Brien Beck, Independent
 - h. Alesha A. Kregel, O'Connell's Liquor
 - i. Jonathan J. Kussow, O'Connell's Liquor
 - j. Ann T. Olley, O'Connell's Liquor
 - k. Lela L. Senstock, O'Connell's Liquor

4. Approval of Renewal Applications for 2018/2020 Operator Licenses:
 - a. Margaret A. Kiefer, East Side Club
 - b. Scott M. Mueller, Snicks Sportman's Bar
 - c. Lisa Nemitz, Snicks Sportman's Bar
 - d. Terri Moen, Tower Inn
 - e. Guy P. Devitt, Waypoint Public House
 - f. Carolyn Phelps, Waypoint Public House

5. Approval of Applications for 2018 Temporary Operator Licenses:
 - a. Robin M. Goldberg, Madison Scouts/Forward Performing Arts
 - b. James M. Bisbee, Monona Community Festival
 - c. Steve Franklin, Monona Community Festival
 - d. Kristen Halverson, Monona Community Festival
 - e. Belle Oswald-Heberling, Monona Community Festival

UNFINISHED BUSINESS

Mayor O'Connor explained to those present that speakers will each be allowed three minutes to express their opinions.

The following individuals were present and registered against no parking on Winnequah Road:

Kurt Studt, 6003 Winnequah Road
Mike Godfrey, 6216 Winnequah Road

Nikki Studt, 6003 Winnequah Road
Mark Provenzano, 4222 Winnequah Road

The following individuals were present and registered in favor of no parking on Winnequah Road:

Judy Schachter, 708 Moygara Road

Julie Byrnes, 6103 Winnequah Road

Kathleen Lightbourne, 5900 Winnequah Road appeared before the Council and spoke for informational purposes regarding no parking on Winnequah Road.

The following individuals appeared before the Council and spoke against no parking on Winnequah Road:

Todd Schultz, 6206 Winnequah Road Sunny Schubert, 6107 Winnequah Road
Randy Vander Heiden, 6219 Winnequah Road Logan Wendrey, 6217 Winnequah Road
Tina Sugar, 6216 Winnequah Road

The following individuals appeared before the Council and spoke in favor of no parking on Winnequah Road:

Claire Gehling, 6110 Winnequah Road Rachelle Miller, 6013 Winnequah Road
Curtis Jones, 6102 Bridge Road Andrew Gaston, 6108 Winnequah Road
Michael Schachter, 708 Moygara Road

In addition to reading into the record the names of email correspondents listed in the June 4 meeting minutes Mayor O'Connor reported receipt of emailed comments from the following:

Registering via email against no parking on Winnequah Road:

Mark Provenzano, 4222 Winnequah Road Jake Smith, Winnequah Road
Justin Randall, 5907 Winnequah Road Sunny Schubert, 6107 Winnequah Road
Kathy Thomas, 5903 Winnequah Road Barb Sainsbury, 1306 Neponset Trail
Sherry Anderson, 1308 Neponset Trail Suzanne Wade (2), 6113 Midwood Avenue
Sue Provenzano, 4222 Winnequah Road Kurt Studt, 6003 Winnequah Road
Nicole Studt, 6003 Winnequah Road Laura Liston, Winnequah Road
Kimberly Gorichonaz, 6217 Winnequah Road

Registering via email in favor of no parking on Winnequah Road:

Julie Byrnes, 6013 Winnequah Road Claire Gehling, 6110 Winnequah Road
Rachelle Miller, 6013 Winnequah Road Meaghan Cibarich, 104 Parkway Drive
Mary Possin, 4509 Midmoor Road Sue Carr, 4209 Winnequah Road

Public Works Director Stephany reviewed the affected area, Owen Road to Bridge Road, and stated that the parking lanes are too narrow and vehicles encroach on the walking/bicycle lane. The parking restriction will be in effect through September 30. The Public Works Committee did not approve this due to time constraints.

Alder Wood projected a Power Point presentation he created with Mayor O'Connor, Alder Kuhr, and City staff. Everyone uses this road. Parking is only the first issue being addressed and it can be done quickly and inexpensively. Speeding and road design will be addressed in the future and will require budgeting. The history of the roadway and existing design was provided.

Winnequah Road is tied with Nichols Road as the busiest internal street, but Nichols Road's sidewalks make it safer. 385 bicyclists per day were counted from 6:45 a.m. to 5:30 p.m.; better weather probably increases this number. There were 184 counted just from 7:00 a.m. to 9:00 a.m. on a Saturday. Projecting that results in 600 to 900 bicyclists on weekends, which is more than cars.

Residents objected to widening the road in 2005. The final design was contrary to the engineering contractor's recommendation and it shouldn't have been approved. The minimum width required for parking is not available and bicycles are pushed out into traffic. A car door can be opened into the

bicycle lane. Contractor vehicles have been left parked when the crew is not working. This temporary effort is not based on accident history but to prevent future accidents. Other options were listed, including setting certain hours for restriction or issuing a permit for special events. These other options have not been reviewed by the Committee because the no parking measure is temporary. Police enforcement is in question if a time period is approved and it's uncertain how a permit system would be handled. He spoke with someone who had a party where no parking was available and had no complaints or problems. He will amend the Ordinance to allow for delivery and short trips. Construction vehicles would be allowed as part of a building permit.

Alder Moore stated she, along with the rest of the Council, appreciates the public's participation. There are strong feelings on both sides and she hopes the fact that the Council is not taking this issue lightly has been made apparent. The effort is being made to implement the best solution possible with the resources available while trying not to make more mistakes. Alder Speight also thanks citizens who have expressed their opinions now and over the years at the Council, Public Works Committee, and Public Safety Commission as well. This is not a permanent fix; the goal of the Committee, with professional assistance, was to address public safety and road design within standard engineering practice and to do it correctly without rushing. Real solutions will take expertise, funding, and careful planning. This solution could improve Winnequah Road to have it become a pedestrian corridor. He agrees, however, that it doesn't address speed or resident convenience. There are many times that no vehicles are parked on the street. He supports this short-term fix to provide a safer summer and supports a permit process.

Alder Grupe stated she appreciates both sides of this issue and has gained ideas. She is glad this action is not based upon accident history and that the City hasn't waited for that before taking this temporary measure. Alder Moore questioned how the Committee will measure success. Alder Speight replied the primary data point is whether the road has been engineered so all can use it. For example, a non-standard tennis court would be used but would be criticized. The road is still used, though some move to a safer route. It is irresponsible to encourage cars to park on a substandard road. No parking is an improvement to the use of the street. He hopes the community will support future plans to improve this road for all users, such as speed tables.

Alder Wood reported it took this long to work on this road again because so much was spent in 2006, \$2 million for a ¾ mile road, that no one wanted to spend more. He would have preferred a permanent parking ban because the road won't change; it will still be too narrow. The Police Department should do speed and use checks. 85% of drivers drive 29 to 31 miles per hour. Mayor O'Connor stated a citizen survey should be done.

Alder Kitslaar questioned whether the parking ban should be in effect until the road is redesigned and how long it would take to have it redone if funding was added to the Capital Budget. Public Works Director Stephany responded that with curb and gutter and getting the street to the proper width it would take one year to design and one year to construct. A final report will come from the Committee. His opinion is to remove the bump-outs, mill out an inch of asphalt, and then add speed tables, new asphalt, and street markings. This, however wouldn't add width. The Bridge Road intersection would be part of the final design in 2019 and the Lake Loop will be reviewed. Alder Wood stated if a bicycle/pedestrian pathway was added parking would be no problem. The Committee will review that option. Alder Speight agreed that intersection is a problem because bicycles entering from Bridge Road go the wrong way on Winnequah Road. A wide, multi-use path should be considered for safety and parking, not a permanent parking ban.

Alder Kuhr stated the Public Safety Commission has not reviewed this action. Some comments imply incorrectly that this option was based on feelings or opinions. The parking ban is an effort to take what is there and follow correct engineering guidelines to alleviate stress on a too narrow, incorrectly designed

road. The road condition is the result of opinion; most members of the Council at the time didn't follow the engineer's plans. She understands the anger about the inconvenience the parking ban will cause but hopes it motivates residents to come to meetings and make sure the Council follows through and to hold the Council accountable to fix this road.

Alder Kitslaar addressed the statements made about the parking ban being a "rushed through" option, reviewing the numerous meeting announcements legally posted and on social media. The Ad Hoc Pedestrian & Bicycle Committee meeting was publicized with public input requested. The City is trying to work on communications with a contractor but currently does not get out public notices. Calling it a temporary ban until the road is redone is deceiving, but facts have to be looked at, not opinions. The City is working with what was done: a substandard road. Permits for special events or special hours would be an enforcement issue because they would probably be the same hours the Police Department is busiest. He asked City Attorney Cole whether a resident's time-stamped photograph of a vehicle parked in violation of the ban could be used in court. City Attorney Cole responded it could and is used in other types of cases. He would ask the complainant to testify in court and authenticate the photographs. Alder Kitslaar stated he now sees cars park as close to the curb as possible. He wants enforcement of the ban if enacted. Alder Wood stated "temporary" means until the Committee completes its work in the fall and then a decision will be made based upon their report. He is not in favor of the special hours compromise because bicycle counts don't change very much based upon the time of day.

A motion by Alder Wood, seconded by Alder Grupe to amend Section 1 of the "Now, Therefore" paragraph of Ordinance 6-18-700 Establishing Temporary No Parking on Winnequah Road to add, "This prohibition shall not apply to Public Safety vehicles, utility vehicles when the utility is working in the area, or to delivery vehicles making brief stops for a delivery.", was carried.

Public Works Director Stephany reported a contractor, like a cement truck for a driveway replacement, that needs to use the street for a longer period of time doesn't need a building permit but is authorized through a Right-Of-Way Permit from the Public Works Department. Typically, a contractor provides its own flag holding personnel to help with traffic. City Attorney Cole stated "standing" is different than "parking". Cement trucks that are occupied would not be in violation of this Ordinance; the same applies to cabs, delivery trucks, etc. that are occupied. A building permit that indicates a vehicle is needed would not be against this Ordinance; they would be City-authorized. Parking and standing is within the job of a utility or delivery vehicle. They could be parked while doing their work.

Mayor O'Connor stated it will be seen whether Winnequah Road work can be part of the Capital Budget based upon what else is proposed by City departments and staff. Alder Wood stated Committee action items will be presented in the fall.

A motion by Alder Wood, seconded by Alder Grupe to approve Ordinance 6-18-700 Establishing Temporary No Parking on Winnequah Road as amended, was carried.

Public Works Director Stephany described the 20-foot length of the no-parking section described in the following Ordinance. This was recommended by the Ad Hoc Pedestrian & Bicycle Committee and then approved at the June 6 Public Works Committee meeting.

A motion by Alder Wood, seconded by Alder Kitslaar to approve Ordinance 6-18-701 Establishing No Parking Here to Corner on Owen Road, was carried.

NEW BUSINESS

A motion by Alder Wood, seconded by Alder Kitslaar to suspend the rules and take action on the Renewal Applications for 2018/2019 Class "A" Fermented Malt Beverage and "Class A" Liquor Licenses for Treysta Holdings LLC, 1853 Duerst Valley Road, Mount Horeb, Wisconsin, 53572-2756, d/b/a Treysta on the Water, 320 West Broadway, was carried.

Alder Wood reported there is a small convenience store on the premise that includes alcohol. A License Review Committee member was there for a meeting and no one was staffing the area; anyone in the area would have been allowed to take whatever they wanted. The licensee was called into the Committee and they have agreed to purchase a locking cooler, with keys staff will take with them when they have to leave the area. The Committee's concerns were expressed and addressed.

A motion by Alder Wood, seconded by Alder Kitslaar to approve the Renewal Applications for 2018/2019 Class "A" Fermented Malt Beverage and "Class A" Liquor Licenses for Treysta Holdings LLC, 1853 Duerst Valley Road, Mount Horeb, Wisconsin, 53572-2756, d/b/a Treysta on the Water, 320 West Broadway, was carried.

A motion by Alder Wood, seconded by Alder Kitslaar to suspend the rules and take action on the Application for 2018/2019 "Class B" Liquor License for Mr Brews Tap House Monona LLC, d/b/a Mr Brews Tap House, 301 West Broadway, Suite B, Monona, Wisconsin, 53716, was carried.

Mayor O'Connor reported that emails in support of this license approval were received from the following:

Laura Heinecke, no address provided	Shane Spoerle, Monona
Edmond Throckmorton, 5212 Midmoor Road	Julie Throckmorton, 5212 Midmoor Road
Eric Bunting, AmericInn, Monona	Steve Doran, 6430 Bridge Road, Suite 230

Alder Grupe noted the specialty cocktail menu draft provided is substantially larger than the franchise-approved list. Mr. Clemmons explained the original list was put out as a plan using the pre-approved list by the franchise to set the standard. His menu is what he wants to do and he is seeking approval from the franchisor. He is on the advisory board and this is what he'd like to see to mimic the beer offerings. Alder Wood reported there are 13 franchises, 11 in Wisconsin, and Mr. Clemmons holds two; the westside Junction Road location and in Monona. The License Review Committee received no new information and is in strong support of approval.

Alder Kitslaar clarified there are three liquor licenses available with one held for the Yahara Commons development. Alder Moore questioned the re-application process. City Clerk Andrusz responded they were free to re-apply at any time for this new license and have withdrawn their additional request for the 2017-2018 license year because of the short time left in that year. Alder Kuhr reported she attended the June 12 Committee meeting. She is concerned about the finite number of these licenses and questions the plan for these. She wants to see the Council take more of an interest in these licenses and how they are distributed in future developments. Alder Moore agrees and wants a "bigger picture" view and review of the criteria for issuance; it may not be as vigorous a review as needed.

Alder Kitslaar stated that if there was only one license available he may have more questions, but he hates to see a good business punished for an unknown future need. He fully supports this license. Alder Wood stated the Committee does have a list of 17 factors that new applicants are asked to explain; this could be improved upon. His preference would be to have the Council make suggestions and the Committee

would work on them. Alder Kuhr stated she doesn't want to disrespect the Committee but would like Council input and discussion. Alder Wood responded the Council would review the criteria and approve the final version. Alder Kitslaar questioned the application process and whether applicants are informed of meeting dates, requirements, etc. City Clerk Andrusz responded she is very hands-on with applicants, with numerous contacts and a new applicant packet. Extensive information is provided including time constraints, required forms, and alcohol licensing laws.

A motion by Alder Wood, seconded by Alder Kitslaar to approve the Application for 2018/2019 "Class B" Liquor License for Mr Brews Tap House Monona LLC, d/b/a Mr Brews Tap House, 301 West Broadway, Suite B, Monona, Wisconsin, 53716, was carried.

A motion by Alder Grupe, seconded by Alder Kitslaar to suspend the rules and take action on the Application for 2018/2019 Beer Garden Badger Bowl, Inc., 506 E. Badger Road, Madison, Wisconsin, 53713-2121, d/b/a Monona Village Lanes, 208 Owen Road, was carried.

Alder Wood reported the diagram provided shows the area to be used in the parking lot with fencing and a fire lane designated with Fire Chief Sullivan's input. Mr. Carey reported shared parking with other businesses has been approved.

A motion by Alder Kitslaar, seconded by Alder Kuhr to approve the Application for 2018/2019 Beer Garden Badger Bowl, Inc., 506 E. Badger Road, Madison, Wisconsin, 53713-2121, d/b/a Monona Village Lanes, 208 Owen Road, was carried.

A motion by Alder Kitslaar, seconded by Alder Wood to suspend the rules and take action on the Temporary Class "B" Fermented Malt Beverage Retailer's License for Madison Scouts/Forward Performing Arts, President Gregg Auby, 2935 South Fish Hatchery Road #401, Madison, Wisconsin, 53711, for the Period of July 7, 2018, was carried.

Alder Wood reported the annual alumni party the group has prior to the Waukesha drum corps event is usually held in Middleton but that venue is under construction. The wholesaler required them to hold this license before they would allow equipment rental. They have to follow all the rules of an alcohol licensee and the person in charge has a temporary Operator license that was approved tonight.

A motion by Alder Wood, seconded by Alder Kitslaar to approve the Temporary Class "B" Fermented Malt Beverage Retailer's License for Madison Scouts/Forward Performing Arts, President Gregg Auby, 2935 South Fish Hatchery Road #401, Madison, Wisconsin, 53711, for the Period of July 7, 2018, was carried.

A motion by Alder Kitslaar, seconded by Alder Grupe to suspend the rules and take action on Resolution 18-6-2274 Approval of a 2-Lot Certified Survey Map (CSM) for the Yahara Commons General Development Plan, was carried.

City Planner Kruesel reported the 4-lot Certified Survey Map (CSM) previously didn't include the property that is now added and includes the full street, the lot line adjustment for the hotel site, and the Monona Bank dumpster area. The Public Works Committee approved this on June 6, and the Plan Commission will approve it on June 25.

A motion by Alder Kitslaar, seconded by Alder Moore to approve Resolution 18-6-2274 Approval of a 2-Lot Certified Survey Map (CSM) for the Yahara Commons General Development Plan, was carried.

A motion by Alder Grupe, seconded by Alder Moore to suspend the rules and take action on Resolution 18-6-2273 Approving the Reallocation of HVAC Repair Funds to Perform Retrocommissioning Engineering Inspection and Report, was carried.

Project Manager Bruun reported funds were approved for repairs but further issues were found and more work is needed. There are crane rental savings if both City Hall and the Library are done at the same time. The Facilities Committee HVAC experts recommended a study on whether repair or replacement is more cost effective. Reallocation of the \$20,000 repair funds is requested for this study to prioritize and phase-in new up-to-date systems. Alder Moore reported a study on UW retro-commissioning saved millions of dollars and will pay dividends. She supports this effort using already approved funds.

A motion by Alder Kitslaar, seconded by Alder Wood to approve Resolution 18-6-2273 Approving the Reallocation of HVAC Repair Funds to Perform Retrocommissioning Engineering Inspection and Report, was carried.

A motion by Alder Kitslaar, seconded by Alder Wood to suspend the rules and take action on Resolution 18-6-2275 Approving Participation in a Grant Opportunity with the Office of Energy Innovation for a Renewable Energy Feasibility Study, was carried.

Project Manager Bruun reported this grant will fund a feasibility study on renewable energy sources and will review the current solar programs; in two years these will require a decision on continuation. The cost share is made up in staff time and supplies.

A motion by Alder Kitslaar, seconded by Alder Grupe to approve Resolution 18-6-2275 Approving Participation in a Grant Opportunity with the Office of Energy Innovation for a Renewable Energy Feasibility Study, was carried.

A motion by Alder Moore, seconded by Alder Kuhr to suspend the rules and take action on Resolution 18-6-2272 Authorizing a Contract with Strand Associates for Engineering Services for the Riverfront Redevelopment Park Plaza, was carried.

City Administrator Little reported this is for professional engineering of the final design of the Riverfront park plaza by Strand Associates and includes amenities and features. This will require borrowing in a few months.

A motion by Alder Grupe, seconded by Alder Moore to approve Resolution 18-6-2272 Authorizing a Contract with Strand Associates for Engineering Services for the Riverfront Redevelopment Park Plaza, was carried.

A motion by Alder Wood, seconded by Alder Kuhr to Convene in Closed Session Pursuant to Wisconsin Statute Section 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (Settlement Offer Regarding 6418 Bridge Road). On a roll call vote, all members voted in favor of the motion.

City Attorney Cole introduced his associate, Law Clerk Malone, who remained present for the Closed Session. The Council remained in the Municipal Room for the Closed Session to accommodate Alder Speight's attendance. Members of the public were asked to leave until the Council reconvened. Upon reconvening in Open Session:

A motion by Alder Wood, seconded by Alder Kitslaar to authorize the City Attorney to continue the settlement discussion on the Settlement Offer Regarding 6418 Bridge Road based upon what was discussed in tonight's Closed Session, was carried.

REPORTS

Alder Wood reported tonight's Winnequah Park concert by The Quest has been cancelled and is rescheduled for June 27.

Alders Kitslaar, Kuhr, and Grupe agree that the Wyldhaven Park improvements are wonderful and urge everyone to visit for the best view of the Madison skyline in the City.

Mayor O'Connor reported she is leaving the country June 28 through July 16 and Council President Wood will serve as Acting Mayor in her absence. There will be no City Council meeting on July 2. She announced the passing of longtime resident Mary Lou Burczyk, who served on the Landmarks Commission for many years and was very involved in the Indian Mound designations.

APPOINTMENTS

A motion by Alder Grupe, seconded by Alder Kuhr to approve the following, was carried:

1. Mary Murrell to the Landmarks Commission (effective immediately–April 2020).
2. Lisa Gundlach to the Public Works Committee (effective immediately–April 2020).

ADJOURNMENT

A motion by Alder Wood, seconded by Alder Kitslaar to adjourn, was carried. (10:02 p.m.)

Joan Andrusz
City Clerk