

MONONA CITY COUNCIL MINUTES
June 21, 2021

The regular meeting of the Monona City Council, via Zoom, was called to order by Mayor O'Connor at 7:00 p.m.

Present: Mayor Mary K. O'Connor, Alderpersons Nancy Moore, Kristie Goforth, Doug Wood, Jennifer Kuhr, Kathy Thomas, and Molly Grupe

Also Present: City Administrator Bryan Gadow, City Attorney Bill Cole, Police Chief Brian Chaney Austin, Fire Chief Jerry McMullen, City Planner Doug Plowman, Monona Community Festival Inc. President Eric Redding, Megan Jackson from WPS, One City School Attorney Jared Smith, Breakwater owner Tim Trpkosh, and City Clerk Joan Andrusz

ROLL CALL AND PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

A motion by Alder Grupe, seconded by Alder Goforth to approve the Minutes of the June 7, 2021 City Council meeting, was carried.

APPEARANCES

Eric Redding, President of Monona Community Festival Inc. provided information on the July 2 through July 4 event. There will be music all 3 days. COVID-19 considerations are in place to enhance patron's comfort level including a larger beer garden to allow spacing, hand sanitizer will be available, and posters with prices will help keep lines down. There is an additional entrance on Nichols Road. The old entrance will close in the evening for beer garden wrist banding. Participants of the new Strongman contest have filled the Avid Hotel. A larger fireworks show is planned. He thanks the City and the Council for their support. This 36th year of the Festival will be an extra special celebration after 15 months of reduced activity. He welcomes all and encourages volunteers.

Megan Jackson, WPS Health Solutions provided information on Resolution 21-6-2501, clarifying One City School's portion. Historically, cross-access easement was maintained between parcels, but she wants it clarified that Condition #3 isn't needed for non-WPS lots. There is a security and liability risk so they want to separate the lots. Mr. Smith reported One City School supports separation of the two campuses.

PUBLIC HEARING and CONSENT AGENDA

There was no Public Hearing or Consent Agenda.

UNFINISHED BUSINESS

A motion by Alder Wood, seconded by Alder Grupe to remove from the table the Renewal Application for 2021/2022 Patio Permit – Breakwater Monona, LLC d/b/a Breakwater, 6308 Inland Way, was carried.

Alder Wood reported the License Review Committee approved both the patio and beer garden permits, along with a variance that isn't needed for table service to be allowed in the beer garden. The issue now is an Amplified Device Permit, not the patio or beer garden. Alder Kuhr stated the permits were tabled to allow the owners to address noise complaints. She is concerned about the issues raised around these permits. An Amplified Device Permit is a privilege and they are not complying so she doesn't want to issue other permits. She did hear that the noise was reduced for the last two weeks, which is encouraging. Members agree they want to hear Breakwater's and Police Chief Chaney Austin's responses.

Mr. Trpkosh reported they have purchased a new public address system that artists have to use; artists were using their own systems, which vary. Loud percussion is not allowed. He talked to the neighbors across the channel and there were no complaints; boat motors are louder. He hears lawn mowers and other neighborhood noise from the deck. The neighbors in the distance could call Breakwater and staff would address the issue. Breakwater is trying to be good neighbors and also bring in business. He would like the Police Chief to set limits using the new sound system and they would follow that.

Police Chief Chaney Austin reported he and Community Resource Officer Nathan Reynolds toured the surrounding neighborhood and the distant neighborhood that complained and they couldn't hear the music there; it wasn't at an unreasonable level. He doesn't want to set a level; it can change with humidity and other factors. He wants Ordinance language to include a "reasonable" level with Police Department checking for issues. Permits won't be issued for more than a month or a week at a time. Businesses thrive with music. This will be considered at the next Public Safety Committee meeting. His idea is a series of applications will be reviewed by the Committee or the License Review Committee; the Festival will be addressed. There have been no subsequent noise complaints this week. He urges calls to the non-emergency line. He has asked Officers to be pro-active and vigilant. He thinks Breakwater is trying to address issues and be in compliance.

Alder Grupe stated these suggestions are great. She doesn't agree that Breakwater can't address different types of band equipment and it is not a valid argument that other neighborhood noise is occurring. Mr. Trpkosh reported the band was using snare drums on the night the complaint was received; that won't be allowed. Bands will now use Breakwater's public address system and sound board. Staff will use Bluetooth and decibel readers on their cellphones to monitor noise. The way sound travels is hard to fix; they have made a lot of efforts.

A motion by Alder Wood, seconded by Alder Grupe to approve the Renewal Application for 2021/2022 Patio Permit – Breakwater Monona, LLC d/b/a Breakwater, 6308 Inland Way, was carried.

A motion by Alder Wood, seconded by Alder Moore to remove from the table the Renewal Application for 2021/2022 Beer Garden for Breakwater Monona, LLC d/b/a Breakwater, 6308 Inland Way, was carried.

A motion by Alder Wood, seconded by Alder Grupe to approve the Renewal Application for 2021/2022 Beer Garden for Breakwater Monona, LLC d/b/a Breakwater, 6308 Inland Way, was carried.

NEW BUSINESS

A motion by Alder Moore, seconded by Alder Grupe to suspend the rules and take action on Resolution 21-6-2500 Resolution in Support of Monona Grove School Transgender, Nonbinary, and all LGBTQ+ Students and Individuals, was carried.

Alder Grupe reported the City's Diversity, Equity, and Inclusion (DEI) efforts and another Resolution to recognize marginalized groups have been undertaken. Susan Fox drafted similar action for the School Board. The Republican Senate passed laws against transgendered women's participation in sports and she wants to make a statement against those types of actions. Alder Kuhr supports this and stated it is important for the Council to use its voice to support these citizens.

A motion by Alder Grupe, seconded by Alder Moore to approve Resolution 21-6-2500 Resolution in Support of Monona Grove School Transgender, Nonbinary, and all LGBTQ+ Students and Individuals, was carried.

City Planner Plowman provided information on Resolution 21-6-2501 Approving a Certified Survey Map (CSM) for Lots 1 and 2 of CSM 15671 and Lot 3 of CSM 10267 at 1707 W. Broadway. The Plan Commission received a request from WPS to amend the CSM for the One City School. The boundary line took the center line of the street and caused maintenance issues. It was moved so One City School had the whole street. Both the Plan Commission and Public Works Committee reviewed this and agreed it made sense. The intent was to ensure access from each parcel to a public street.

Alder Wood reported discussion of the 3rd condition at the Plan Commission was that WPS wanted to separate the One City School parcel as cross access wasn't needed. Alder Moore reported the Commission was very supportive of the CSM but saw the cross connection as a separate issue. There were concerns regarding traffic flow for large school events and for drop off and pick up of students. Alder Thomas questioned why WPS doesn't want the cross connection. Ms. Jackson responded there are lots of walkers and student movement which causes safety and security issues. There is a liability with the school using private WPS roads. The cross connection was set up to address parcels without access.

Alder Grupe questioned whether this was considered for temporary events only. Ms. Jackson responded she is open to allowing parking lot use but the easement is a way to address that; that would be worked out between the school and WPS. Mr. Smith agrees traffic can be controlled to not allow cross traffic with students and WPS employees. At the July 12 Plan Commission meeting he will present information on the importance of this separate issue. They have already agreed on an emergency access. The easement is a separate issue from the CSM.

City Attorney Cole stated in land division the City can enforce Ordinance requirements but if access to a public street is available, they are in compliance. Other lots do need an easement but realignment of the border of the One City School lot satisfies this need. Alder Kuhr questioned that if the requirement is satisfied and both parties agree, why wouldn't the Council approve this. Alder Moore responded City Attorney Cole hadn't reviewed it by the time it was reviewed by the Plan Commission. The Commission thought there were a lot of moving parts that were yet to be decided. However, if City Attorney Cole thinks the standards are met the Council can do something different. Alder Thomas stated the Plan Commission has different expertise on these types of things and she'd like their final opinion.

A motion by Alder Thomas, seconded by Alder Kuhr to suspend the rules and take action on Ordinance 6-21-741 Amending Chapter 272 of the Code of Ordinances Regulating Intoxicating Liquor and Fermented Malt Beverages, was carried.

City Attorney Cole reported this amendment is required to bring the Ordinances in line with Act 21, the "cocktails to go" statute, which allows bars to sell alcoholic beverages in sealed containers to take out to drink off premises.

A motion by Alder Thomas, seconded by Alder Grupe to approve Ordinance 6-21-741 Amending Chapter 272 of the Code of Ordinances Regulating Intoxicating Liquor and Fermented Malt Beverages, was carried.

REPORTS

Mayor O'Connor requested Updates/Discussion on Diversity, Equity, and Inclusion (DEI) Efforts. Alder Grupe reported The Nehemiah Center will provide a course schedule for virtual African American history training, "Justified Anger", for the community, City staff, and the Council. Alder Kuhr reported the Library is having Spanish language wayfinding signage created. Alder Wood reported he attended the La Rosita outreach event with the Police Department and members of the community. Alder Goforth reminds everyone to take the Transit survey; City Administrator Gadow will put it on the City's website. Alder Moore reported Madison is one of only four Police Departments in the country doing its own diversity training, starting with implicit bias training. It is free and open to the public. She or City Administrator Gadow will provide a link to this program. Mayor O'Connor reported she met with several potential members of the DEI Workgroup. She and City Administrator Gadow will meet with the Nehemiah Center this week to work on dates. She has committee appointments ready but wants to get dates set first. Alder Grupe thanks City Administrator Gadow, Mayor O'Connor, Alder Goforth, Police Chief Chaney Austin, and staff for the Juneteenth celebration, especially Court Clerk Toya Harrell's wonderful performance. She hopes this will become a tradition in the City. City Administrator Gadow reported a Juneteenth flag will be purchased for future events.

Alder Moore thanks the Friends of San Damiano for the helpful and well-attended clean-up event. Over 100 people were there, many with families, as well as a Norbertine Father. She thanks the Parks & Recreation Department for their preparation work.

Alder Kuhr agrees and reported the Friends estimated 175 participants. A person who came past by boat was very excited about the property and wanted to volunteer. A passerby came back with a chainsaw. A fall event with a cookout was suggested; participants were very enthusiastic.

Alder Grupe urges everyone to take the Transit survey. There will be a Sustainability table at the Fourth of July Festival highlighting efforts being made.

Alder Wood reported the Library hosted a Saturday Morning Storytime event focusing on Juneteenth.

Fire Chief McMullen reported he will meet with Police Chief Chaney Austin for Festival planning. The Department helped at Cottage Grove's festival and in turn they will help at Monona's. There are 4 new volunteers almost ready to go. There were 7 calls today, one a water rescue, and 6 volunteers showed up. The victim of a near-drowning at Lottes Park last week came home from the hospital today. Dane County Emergency Management was impressed and wanted the names of the volunteers. He will get the names of bystanders who helped the victim and will get a commendation committee together for these types of things.

Police Chief Chaney Austin reported La Rosita hosted a great community engagement event. The Department is in the interview phase of the Officer search; there is a diverse group of candidates. He thanks participants and the Fire Department for their Special Olympic Solar Plunge support. He thanks the Library for the upcoming Drag Queen Storytime to be held on June 29 at 6:00 p.m.

City Administrator Gadow reported Dane County is updating its Hazard Mitigation Plan. This summer he will work on this with staff for FEMA submittal. He will notify members about potential cancellation of the July 6 meetings.

Mayor O'Connor thanks everyone who participated in the San Damiano clean-up event. The ribbon cutting will be on Thursday at 2:00 p.m.; County Executive Joe Parisi and Friends President Andrew Kitslaar will be there. She is tentatively planning on an in-person Council meeting on July 19th.

APPOINTMENTS

There were no Appointments.

ADJOURNMENT

A motion by Alder Kuhr, seconded by Alder Grupe, to adjourn was carried. (8:18 p.m.)

Joan Andrusz
City Clerk