



City of Madison
Meeting Minutes - Final
COMMON COUNCIL
ORGANIZATIONAL COMMITTEE

City of Madison
Madison, WI 53703
www.cityofmadison.com

Tuesday, June 7, 2005

4:30 PM

Room 103A, City-County Building

CALL TO ORDER

Present: Ald. Paul J. Van Rooy, Ald. Santiago Rosas, Ald. Zachariah Brandon, Ald. Austin W. King and Ald. Brenda K. Konkel

Absent: Ald. Paul E. Skidmore, Ald. Isadore Knox, Jr. and Ald. Larry Palm

APPROVAL OF MINUTES

Approve minutes from May 17, 2005 CCOC meeting.

A motion was made by Ald. King, seconded by Ald. Rosas, Ald. Mike Verveer had requested that a change be made in the minutes to reflect the following:

page 6 - Legislative File No. 01036:
"Ald. Verveer stated that it was NOT specific to State Street."

Ald. Zach Brandon requested that a change be made in the minutes to reflect the following:

page 3 - Legislative File No. 00059
"Ald. Zach Brandon interpreted his amendment to say that if anyone takes money OVER \$10,000..."

The motion to approve the minutes as amended passed by acclamation.
The motion passed by acclamation.

ITEMS REFERRED FROM COUNCIL

Ald. Paul Skidmore arrived at 4:34 p.m., Ald. Larry Palm arrived at 4:45 p.m. and Ald. Isadore Knox, Jr. arrived at 4:58 p.m.

Present: Ald. Paul J. Van Rooy, Ald. Santiago Rosas, Ald. Zachariah Brandon, Ald. Austin W. King, Ald. Paul E. Skidmore, Ald. Isadore Knox, Jr., Ald. Larry Palm and Ald. Brenda K. Konkel

[01304](#)

SUBSTITUTE - Amending Section 23.05 of the Madison General Ordinances to create a definition of a tobacco bar and to create an exception to permit smoking in tobacco bars.

A motion was made by Ald. Rosas, seconded by Ald. King, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

Ira Sharenow, Spoke, Opposed: Did not support reopening the smoking ban ordinance with the exemption for cigar bars. Believed the ordinance should have been referred to more committees than CCOC for input.

Brian Haltinner, 117A E. Main Street, Spoke, Supported: Mr. Haltinner indicated that he was the owner of Maduro's (cigar bar). He stated that he had worked with Ald. Mike Verveer on the ordinance. The ordinance was modeled on New York's cigar bar exemption language. He believed that if the ordinance exemption did not pass, it would be a large detriment to his business.

Jennifer Thompson, W8288 Thompson Rd., Poynette, Spoke, Supported: Ms. Thompson indicated that she is an employee at Maduro's. She stated that she was fearful of losing her job if the ordinance exemption did not pass.

Rosemary Lee, 111 W. Wilson St, #108, Spoke, Supported: She stated that this ordinance exemption would allow the small cigar bar businesses to continue to compete with taverns. Without it, she felt that they would go out of business.

Natalie Schaefer, 31 E. Gorham Street, Available to answer questions, Supported

Robert Eckdale, 31 E. Gorham Street, Did not wish to speak, Supported

Matthew Bekkering, 7003 Watts Road, Spoke, Supported: Mr. Bekkering indicated that he was the owner of the Wine and Cigar Bar. He noted that 60% of his sales were in tobacco of which 55% were cigar sales. 40% of his sales were in wine. He indicated that he has wine tastings at this location. He also felt that if this ordinance exemption did not pass, he would be out of business.

Kevin Trottier, 1 E. Gilman Street, #1, Spoke, Supported: Mr. Trottier indicated that he was an employee of Maduro's. He stated that people who visit Maduro's are mainly cigar smokers.

Jessica Seemery, 1 E. Gilman Street, #1, Spoke, Supported: Ms. Seemery indicated that she was an employee of Maduro's. She stated that there is a regular core group of people who frequent Maduro's.

Carousel Andrea Bayrd, Tobacco Free Dane County Coalition, 1715 Hoyt St., Spoke, Opposed: Ms. Bayrd stated that the smoking ban ordinance was designed not to hurt businesses, but to protect workers. She indicated that working an 8 hour shift was equivalent to smoking 16 cigarettes. She also stated that by carving out exceptions the Coulc would begin a slippery slope to allow even more exceptions to the smoking ban. She also stated that cigar bars can still sell cigars - that smoking them on-site would only be prohibited.

Michele Tjader, 2146 E. Mifflin Street, Spoke, Supported: Ms. Tjader indicated that she was a patron of Maduro's. She stated that the regulars go to Maduro's to specifically smoke cigars -imposing the ban would take away business from this location.

Ald. Mike Verveer provided background on the ordinance. The city already exempts cigarette retail outlets, most municipalities allow this exemption. Cigar

bars entire business are built around cigars. The grandfather clause would require that their license be renewed annually and review of their sales could be made at that time.

Ald. Zach Brandon stated that he is less inclined to support the ordinance. He believed that it created an unlevelled playing field with all bars and that even cigar bars must comply with the smoking ban.

The following friendly amendments were moved by Ald. Austin King, seconded by Ald. Santiago Rosas:

First friendly amendment:

"(g) Tobacco bar, subject to the following:

1. The tobacco bar was in existence on January 1, 2003;
2. The tobacco bar has remained at the same physical location and has not expanded its premises since January 1, 2003;

Second friendly amendment:

3. Ten percent (10%) or more of the tobacco bar's total gross income from 2004 fiscal year, and every year thereafter, was from the on-site sale of tobacco products and the rental of on-site humidors, not including any sales from vending machines;

Amendments approved.

Motion to approve ordinance as amended passed with Ald. Larry Palm being recorded as voting "no".

The motion passed by the following vote:

Aye: Van Rooy, Rosas, Brandon, King, Skidmore and Knox, Jr.

No: Palm

Non Voting: Konkel

DISCUSSION ITEMS

01379

Legistar Management Team - Suggestions and comments on current agenda format, e.g.: history lines and the purpose of lead referral agencies when referring legislation.

Discuss

Ray Fisher (Department of Revenue Director), Larry Nelson (Public Works/Transportation Director) and Brad Murphy (Planning Unit Director) were present as representatives of the Legistar Management Team.

Ray Fisher queried CCOC members on what issues or problems they had encountered with Legistar. He indicated that one issue identified was that history lines on the agenda were too lengthy. Ald. Paul Van Rooy questioned why the history lines need to appear on the agenda and the item itself.

Ald. Brenda Konkel believed that there was too much paper being wasted when generating the agenda and questioned why the margins couldn't be aligned to cut down on the length of the agenda.

She also felt that internal notes (Comptroller/Attorney) did not have to appear on the agenda. She asked what the results column, return date, due date, index, code sections were being used for. She also thought that the text file should have a date listed somewhere.

Ald. Paul Van Rooy indicated that committee members were not prepared to provide a list at this meeting. Ray Fisher requested members to send him a list of issues that needed to be addressed.

Ald. Zach Brandon and Ald. Austin King would like to see one line recommendations on the agenda.

Larry Nelson noted that city staff is now integrating Legistar into their daily activities.

Ald. Zach Brandon noted that the search button/function should be redesigned. He stated that if you do a search you have to clear the search before doing another search - if you didn't the search would add that original search term to you new search term.

A subcommittee was formed to review Legistar issues: Ald. Brenda Konkel, Ald. Zach Brandon, Ald. Larry Palm and Ald. Paul Van Rooy.

00105

Discussion of evaluation process of Compensation Group 21 employees

Refer For Attorney Review to the Attorney's Office

Roger Goodwin, Human Resources Director, was present to discuss this item.

Ald. Brenda Konkel asked why the ordinance wasn't being followed. Mr. Goodwin stated that he could not find any record of the ordinance ever being used by the Council or the Mayor (The ordinance was originally adopted in 1985). Mr. Goodwin expressed concern that any evaluation form that created documentation would be subject to open records requests. He noted that previous Mayors had solicited verbal comments from Council members.

Ald. Brenda Konkel stated that there is a problem when Council members only are notified that managers' contract are up when they appear for the first time on a Council agenda.

Ald. Zach Brandon stated that he supports the Council being sufficiently notified in order to have an opportunity to provide the Mayor with input.

Michael May asked Mr. Goodwin if he had a "tickler file" of upcoming contracts that were set to expire. Mr. Goodwin indicated that he kept a list of contracts and their expiration dates. Mr. May stated that the current ordinance was troublesome to him in that it provided a specific model to be used. He suggested that the City Attorney's office could create an ordinance to make the process more general so that alders could provide comments to Mayor in a timely manner and that comments would remain confidential.

Ald. Zach Brandon moved, seconded by Ald. Santiago Rosas to request that City Attorney Michael May redraft the ordinance for CCOC review.

01380

Request by Ald. Brenda Konkel and Ald. Zach Brandon to discuss allowing alders to purchase wireless internet access versus cable internet access.

A motion was made by Ald. Rosas, seconded by Ald. Skidmore, to Rerefer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

Ald. Brenda Konkel questioned why alders could not spend the allotted \$50 on another internet provider.

Lisa Veldran indicated that there was a precedent set by CCOC that if an alder wanted something different than what the city was providing the alder could pay for it personally or use their \$600 Administrative Account.

Rich Beadles will be invited to the next CCOC meeting to talk about the service being provided to the Council. The motion passed by acclamation.

00106

Discussion on the City's Planning Councils.

Rerefer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

[01232](#)

Discussion of creation of an Ordinance Revision Committee

Rerefer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

ADJOURNMENT

A motion was made by Ald. Brandon, seconded by Ald. Rosas, to Adjourn Meeting was adjourned at 6:23 p.m. The motion passed by acclamation.