



Office of the Mayor

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To: City Clerk Maribeth Witzel-Behl
Madison Common Council

Pursuant to section 62.09(8)(c), Wis. Stats., and section 3.03(2), MGO, I return to you Legistar Item 39450, Class B Beer License Application for Beebe Enterprises LLC (Mad City Frites), which I have vetoed and disapproved.

My objections to the issuance of the license are consistent with the continued effort to maintain State Street as a viable retail center at great expense to the residents and taxpayers of Madison, Wisconsin.

Including the original construction, there have been three investments in State Street by the public. The last, which ran from 2004-2014, totaled \$18,512,709. I find the continued issuance of licenses to be a violation of the public trust representing a policy shift without public input in a city that values public discourse.

We are experiencing creep - a gradual erosion of a long established philosophy about our downtown is destroyed in small incremental steps.

Through a series of individual legislative actions driven by the Alcohol License Review Committee— the continued approval of individual liquor and/or beer licenses, we see the waste of taxpayers' investing over \$60,000,000 over five decades in a district designed to serve urban retail.

The State Street Mall and Capital Concourse were created after a planning process, a charrette, which lasted almost a year. As a result, property owners, tenants – both residential and commercial, students, local visitors to State Street, tourists, and most importantly people who did not utilize the Madison downtown were participants in creating the plan.

Each time there was redesign and reconstruction, a similar process was utilized. Nowhere in the records do we find evidence of a desire to shift from a predominantly retail district to one, where today, through seemingly small incremental shifts, the 70%/30% retail/beverage mix is now 30%/70%. In fact, the records show a concerted effort to create a vibrant downtown retail district.

Advocates of Reaganomics, Tea Party economics, and free market advocates doubt that public investment in infrastructure plays a significant role in adding value to private property, creating

wealth, changing neighborhoods, and incentivizing investment. Whether it is a Grand Coulee Dam which lead to the availability of energy, the construction of an Interstate Highway opening up suburbs or destroying inner city neighborhoods, investment in major sports facilities creating activities that leads to gentrification, or a major downtown improvement like the Pearl Street or State Street Malls, when an enormous public expenditure is made there is will be a significant change to the marketplace- for better or worse.

Such was the result of the State Street Mall – a significant public investment designed to create a strong downtown retail sector. That commitment of public money of Madison taxpayers is now betrayed.

As a recently as 2013, a staff team submitted a report to the ALRC, the Plan Commission, the BID, the Economic Development Committee, and the Common Council.

Recommendation: Create a “State Street Overlay District (SSOD)” to restrict certain types of alcohol beverage licenses. *The overlay district would define permitted, conditional, and prohibited use within the area (see map attached) based on the previously stated alcohol license definitions...*

...This proposal acknowledges several key factors: the importance of retail on State Street, the concern of a high number of alcohol licensed establishments, and the lack of diversity of late-night entertainment venues...

The report had seventeen recommendations including the one above. All of the recommendations were adopted by every committee and the City Council. Subsequently the ALRC pushed back and recommended to the City Council the creation of a smaller Overlay rejecting the larger Overlay District. Then the ALRC began granting licenses in contravention of the original recommendation.

This abandonment of the public trust, confirms the potential waste of the most recent public expenditure of over \$18 million.

It is unfortunate that some members of the Common Council chose to cast this as one innocent entrepreneurial restaurant owner facing the oppressive nature of government. Clearly, they deliberately misconstrued my passion on this matter characterizing it as “insults” directed at the applicant, or suggesting that the people of this city were “props” when in fact everything we do should be examined through a lens focused on our promises to the public to consistently honor our policy commitments.

Any time we believe that a specific legislative action violates an ordinance, a resolution, or an adopted report, that is the most appropriate time to discuss the policy matter. Misdirecting the discussion to issues of style is nothing more than a ruse to avoid the tough issues facing this city.

It is tragic that the Common Council cast this as inevitable modern market forces changing the culture and use of the street. I do not share these views. To do so would be to surrender our responsibility to serve all of Madison and to believe in our ability to create a just and equitable society.

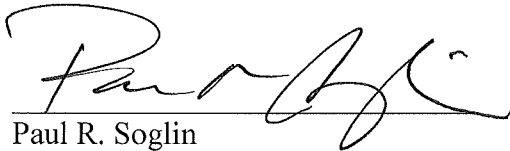
As market forces expand the footprint of hospitals and the University of Wisconsin south on Park Street are we to accept as inevitable, the destruction of the Wingra Neighborhood?

As Dane County rebuilds the Alliant Energy Center, are we to accept the demolition of Bram's Addition, Capital Heights, and wetlands along Rimrock Road?

Were we foolish at the height the national addiction for road construction in the 1960's to stop the highway through Regent Street and College Court? Or to later limit the Atwood Avenue Bypass to half its proposed size resulting in a critical space, now part of our bicycling network? Those original plans were supposed modern responses to current technological trends.

This city learned a valuable lesson from the destruction of the Greenbush about planning, investing and controlling our future. Or have we forgotten it?

If the goal is to no longer make State Street a viable retail center, then let us do so with thoughtful public discussion, not by a series of single legislative acts driven by the need to create viability based on the sale of liquor and beer.

A handwritten signature in black ink, appearing to read "Paul R. Soglin", written over a horizontal line.

Paul R. Soglin
Mayor, City of Madison

Dated this 4th day of September, 2015