

City of Madison

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

Proceedings - Approved COMMON COUNCIL

Consider: Who benefits? Who is burdened?
Who does not have a voice at the table?
How can policymakers mitigate unintended consequences?

This meeting may be viewed LIVE on Charter Spectrum Channel 994, AT&T U-Verse Channel 99 or at www.madisoncitychannel.tv.

Tuesday, March 30, 2021

6:30 PM

Via Virtual Meeting

The City of Madison is holding the Common Council meeting virtually to help protect our community from the Coronavirus (COVID-19) pandemic.

- 1.Written Comments: You can send comments on agenda items to allalders@cityofmadison.com
- 2.Register but Do Not Speak: You can register your support or opposition to an agenda item at https://www.cityofmadison.com/MeetingRegistration
- 3.Register to Speak or to Answer Questions: If you wish to speak at the virtual meeting on an agenda item, you must register. You can register at https://www.cityofmadison.com/MeetingRegistration. When you register to speak, you will be sent an email with the information you will need to join the virtual meeting.
- 4. Watch the Meeting: You can call-in or watch the Common Council meeting in several ways:
- •Livestream on the Madison City Channel website:

https://media.cityofmadison.com/mediasite/showcase

•Livestream on the City of Madison YouTube channel:

https://www.youtube.com/user/CityofMadison

- •Television: Watch live on Spectrum channel 994 and AT&T U-Verse channel 99
- •Listen to audio via phone: (877) 853-5257 (Toll Free) Webinar ID: 955 5039 6490

ROLL CALL

At 6:32 PM, Mayor Rhodes-Conway in the Chair.

Present: 19 - Satya V. Rhodes-Conway; Barbara Harrington-McKinney; Patrick W. Heck;

Michael E. Verveer; Shiva Bidar; Marsha A. Rummel; Paul E. Skidmore; Zachary Henak; Arvina Martin; Syed Abbas; Tag Evers; Sheri Carter; Grant

Foster; Michael J. Tierney; Samba Baldeh; Rebecca Kemble; Keith

Furman; Max Prestigiacomo and Nasra Wehelie

Excused: 2 - Lindsay Lemmer and Christian A. Albouras

SPEAKING GUIDELINES

Speaking Limits:

Public Hearing - 5 Minutes, Information Hearing - 5 Minutes, Other Items - 3 minutes.

You must register before your item is considered by the Council.

NOTIFIED ABSENCES: Albouras, Lemmer

OPENING REMARKS

SUSPENSION OF RULES

A motion was made by Carter, seconded by Abbas, to Suspend the Rules. The motion passed by voice vote/other.

Suspend Rules 2.04 (order of business), 2.05 (introduction of business), 2.24 (ordinances), and 2.25 (resolutions) for items so designated on the agenda.

HONORING RESOLUTIONS

1. 64833 Congratulating Lisa Veldran on her retirement and thanking her for 36 ½ years of dedicated and exemplary service to the City of Madison.

Sponsors:

Sheri Carter, Syed Abbas, Satya V. Rhodes-Conway, Christian A. Albouras, Samba Baldeh, Shiva Bidar, Tag Evers, Grant Foster, Keith Furman, Barbara Harrington-McKinney, Patrick W. Heck, Zachary Henak, Rebecca Kemble, Lindsay Lemmer, Arvina Martin, Max Prestigiacomo, Marsha A. Rummel, Paul E. Skidmore, Michael J. Tierney, Michael E. Verveer and Nasra Wehelie

A motion was made by Verveer, seconded by Carter, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00215

2. 63972 Proclaiming Sunday, April 25, 2021 as World Migratory Bird Day in the City of Madison.

Sponsors: Saty

Satya V. Rhodes-Conway, Sheri Carter, Syed Abbas, Christian A. Albouras, Samba Baldeh, Shiva Bidar, Tag Evers, Grant Foster, Keith Furman, Barbara Harrington-McKinney, Patrick W. Heck, Zachary Henak, Rebecca Kemble, Lindsay Lemmer, Arvina Martin, Max Prestigiacomo, Marsha A. Rummel, Paul E. Skidmore, Michael J.

Tierney, Michael E. Verveer and Nasra Wehelie

A motion was made by Foster, seconded by Carter, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00216

3. 64289

To commemorate the 51st anniversary of Earth Day on April 22, 2021, to proclaim April 24, 2021 as Earth Day Challenge Day, and to endorse and encourage citizen participation in the clean-up events at City of Madison Parks.

Sponsors:

Satya V. Rhodes-Conway, Sheri Carter, Syed Abbas, Christian A. Albouras, Samba Baldeh, Shiva Bidar, Tag Evers, Grant Foster, Keith Furman, Barbara Harrington-McKinney, Patrick W. Heck, Zachary Henak, Rebecca Kemble, Lindsay Lemmer, Arvina Martin, Max Prestigiacomo, Marsha A. Rummel, Paul E. Skidmore, Michael J.

Tierney, Michael E. Verveer and Nasra Wehelie

A motion was made by Tierney, seconded by Carter, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00217

4. 64504

Proclaiming April 18-24, 2021 as National Infertility Awareness Week in the City of Madison.

Sponsors:

Shiva Bidar, Lindsay Lemmer, Satya V. Rhodes-Conway, Syed Abbas, Sheri Carter, Christian A. Albouras, Samba Baldeh, Tag Evers, Grant Foster, Keith Furman, Barbara Harrington-McKinney, Patrick W. Heck, Zachary Henak, Rebecca Kemble, Arvina Martin, Max Prestigiacomo, Marsha A. Rummel, Paul E. Skidmore, Michael J. Tierney, Michael E.

Verveer and Nasra Wehelie

A motion was made by Bidar, seconded by Carter, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00218

PETITIONS AND COMMUNICATIONS

PETITIONS

5. <u>64611</u>

Petition dated March 9, 2021 from D'onofrio Kottke and Associates, Inc. on behalf of Wilmer and Sandra Dahl re: direct attachment from the Town of Middleton to the City of Madison.

A motion was made by Carter, seconded by Abbas, to Accept. The motion passed by voice vote/other.

EARLY PUBLIC COMMENT

6. 64312 Early Public Comment

SPECIAL ORDER OF BUSINESS AT 6:45 PM

PRESENTATION OF CONSENT AGENDA

A motion was made by Carter, seconded by Abbas, to Adopt the Consent Agenda. Alder Baldeh recused himself from item 63. The motion passed by voice vote/other.

At this time, a consent agenda will be moved with the recommended action listed for each item EXCEPT:

1) items which have registrants wishing to speak. 2) items which require an extraordinary (roll call) vote and are not included on the consent agenda by unanimous consent. 3) items which alderperson(s) have separated out for discussion/debate purposes.

RECESSED PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF PLAN COMMISSION

7. <u>60914</u>

Creating Section 28.022 - 00454 of the Madison General Ordinances to change the zoning of property located at 4000-4150 Packers Avenue and 4201 North Sherman Avenue, 12th Aldermanic District, from Temp. A (Temporary Agricultural) District to SR-C2 (Suburban Residential-Consistent 2) District; and creating Section 28.002 - 00455 of the Madison General Ordinances to change the zoning of the property located at 4000-4150 Packers Avenue and 4201 North Sherman Avenue, 12th Aldermanic District, from Temp. A (Temporary Agricultural) to TR-C3 (Traditional Residential-Consistent 3) District; and creating Section 28.022-456 of the Madison General Ordinances to change the zoning of the property located at 4000-4150 Packers Avenue and 4201 North Sherman Avenue, 12th Aldermanic District from Temp. A (Temporary Agricultural) to TR-V2 (Traditional Residential-Varied 2) District; and creating Section 28.022 -00457 of the Madison General Ordinances to change the zoning of property located at 4000-4150 Packers Avenue and 4201 North Sherman Avenue, 12th Aldermanic District from Temp. A (Temporary Agricultural) District to TR-U1 (Traditional Residential-Urban 1) District; and creating Section 28.022-458 of the Madison General Ordinances to change the zoning of property located at 4000-4150 Packers Avenue and 4201 North Sherman Avenue, 12th Aldermanic District from Temp. A (Temporary Agricultural) District to CC-T (Commercial Corridor-Transitional) District

Sponsors: Planning Division

Plan Commission (4/12/21), Common Council (4/20/21)

A motion was made by Carter, seconded by Abbas, to Re-refer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by voice vote/other.

SUBSTITUTE - Amending various sections of Subchapters 28C and 28D of Madison General Ordinances in order to increase allowable densities and decrease conditional use thresholds in certain multi-family residential, mixed-use, and commercial districts.

Satya V. Rhodes-Conway, Keith Furman, Patrick W. Heck, Lindsay Lemmer, Tag Evers and Christian A. Albouras

Common Council (5/18/2021)

A motion was made by Carter, seconded by Abbas, to Refer to a future Meeting to Adopt to the COMMON COUNCIL,. The motion passed by the following vote:

Ayes: 17 - Patrick W. Heck; Michael E. Verveer; Shiva Bidar; Marsha A. Rummel; Paul E. Skidmore; Zachary Henak; Arvina Martin; Syed Abbas; Tag Evers; Sheri Carter; Grant Foster; Michael J. Tierney; Samba Baldeh; Rebecca Kemble; Max Prestigiacomo; Nasra Wehelie and Barbara

Harrington-McKinney

Noes: 1 - Keith Furman

Excused: 2 - Lindsay Lemmer and Christian A. Albouras

Non Voting: 1 - Satya V. Rhodes-Conway

Amended Recommended Action: Recess Public Hearing and Refer to 5/18/21 (vs. 4/20/21) Common Council meeting at request of Council Leadership.

RECESS

A motion was made by Carter, seconded by Abbas, to Recess until the Call of the Chair. The motion passed by voice vote/other.

ROLL CALL

At 9:46 PM, Mayor Rhodes-Conway in the Chair.

Present: 19 - Satya V. Rhodes-Conway; Barbara Harrington-McKinney; Patrick W. Heck; Michael E. Verveer; Shiva Bidar; Marsha A. Rummel; Paul E. Skidmore; Zachary Henak; Arvina Martin; Syed Abbas; Tag Evers; Sheri Carter; Grant Foster; Michael J. Tierney; Samba Baldeh; Rebecca Kemble; Keith

Furman; Max Prestigiacomo and Nasra Wehelie

Excused: 2 - Lindsay Lemmer and Christian A. Albouras

Amending portions of Madison General Ordinances Sections 28.063, 28.064, 28.065, 28.066, 28.067, 28.068, 28.074, 28.076, 28.084, 28.085, 28.087, 28.088, 28.089, and 28.097 to change the front yard setback, if it is less than 15 feet, from 0 feet to 5 feet to support a street tree canopy, and creating Madison General Ordinance 28.071(2)(e) to establish a Downtown Setback Exceptions Map.

Sponsors: Marsha A. Rummel, Patrick W. Heck, Keith Furman, Michael E.

Verveer, Satya V. Rhodes-Conway and Syed Abbas

A motion was made by Carter, seconded by Abbas, to Adopt as Substituted and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-21-00028

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

10. 64407 Public Hearing - New License

Helbachs Cafe LLC • dba Helbachs Coffeehouse

410 D'Onofrio Dr • Agent: Casey Helbach • Estimated Capacity: 25 Indoor, 15

Outdoor

Class C Wine • 5% alcohol, 90% food, 5% other

Aldermanic District 9 (Alder Skidmore) • Police Sector 124

A motion was made by Carter, seconded by Abbas, to Grant and Close the Public Hearing. The motion passed by the following vote:

Ayes: 17 - Barbara Harrington-McKinney; Patrick W. Heck; Michael E. Verveer; Shiva

Bidar; Marsha A. Rummel; Paul E. Skidmore; Zachary Henak; Arvina Martin; Syed Abbas; Sheri Carter; Grant Foster; Michael J. Tierney; Samba Baldeh; Rebecca Kemble; Keith Furman; Max Prestigiacomo and Nasra

Wehelie

Noes: 1 - Tag Evers

Excused: 2 - Lindsay Lemmer and Christian A. Albouras

Non Voting: 1 - Satya V. Rhodes-Conway

11. 64408 Public Hearing - New License

Kettle Black Kitchen LLC • dba Kettle Black Kitchen

1835 Monroe St • Agent: Brian Hamilton • Estimated Capacity: 75

Class B Beer, Class C Wine • 40% alcohol, 60% food Aldermanic District 13 (Alder Evers) • Police Sector 205

A motion was made by Carter, seconded by Abbas, to Grant and Close the Public Hearing. The motion passed by voice vote/other.

REPORT OF BOARD OF PUBLIC WORKS

12. 64575 Approving Plans, Specifications, And Schedule Of Assessments For Hillcrest

Drive, Standish Court, and Alden Drive Assessment District - 2021. (5th and

11th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Carter, seconded by Abbas, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: RES-21-00219

13. 64576 Approving Plans, Specifications, And Schedule Of Assessments For North

Brooks Street, Fahrenbrook Court and College Court Resurfacing

Assessment District -2021. (8th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Carter, seconded by Abbas, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: RES-21-00220

REPORT OF PLAN COMMISSION

14. 64346 Amending the City of Madison Official Map to modify the recommended street

network for the portion of the planning area bounded by Voges Road, Penito Creek Greenway, Tradewinds Parkway, and Agriculture Drive/ Marsh Road.

Sponsors: Michael J. Tierney

A motion was made by Carter, seconded by Abbas, to Adopt and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: RES-21-00221

15. <u>64349</u> Creating Section 28.022 - 00492 of the Madison General Ordinances to

amend a Planned Development District at property located at 9301 Crosswinds Lane, 1st Aldermanic District, amending the General

Development Plan, and creating Section 28.022 - 00493 to approve a Specific

Implementation Plan.

Sponsors: Planning Division

A motion was made by Carter, seconded by Abbas, to Re-refer for Recessed Public Hearing to the PLAN COMMISSION. The motion passed by voice

vote/other.

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

APPOINTMENTS

16. Report of the Mayor submitting resident committee appointments (introduction 3-16-2021; action 3-30-2021).

A motion was made by Carter, seconded by Abbas, to Confirm. The motion passed by voice vote/other.

17. 64818 Report of the Mayor submitting resident committee appointments

(introduction 3-30-2021; action 4-20-2021).

Common Council (4/20/2021)

A motion was made by Carter, seconded by Abbas, to Refer to a future Meeting to Confirm to the COMMON COUNCIL. The motion passed by voice vote/other.

BUSINESS PRESENTED BY THE COMMON COUNCIL PRESIDENT

18. 64809 Condemning anti-Asian hate and affirming commitment to Asian, Asian American, and Pacific Islander residents.

Sponsors: Syed Abbas, Shiva Bidar, Arvina Martin, Nasra Wehelie, Satya V.

Rhodes-Conway, Christian A. Albouras, Samba Baldeh, Sheri Carter, Tag Evers, Grant Foster, Keith Furman, Barbara Harrington-McKinney, Patrick W. Heck, Zachary Henak, Rebecca Kemble, Lindsay Lemmer, Max Prestigiacomo, Marsha A. Rummel, Paul E. Skidmore, Michael J.

Tierney and Michael E. Verveer

A motion was made by Bidar, seconded by Abbas, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00222

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

19. 64330 Operator License ApplicationApplicant - Jason Russell

A motion was made by Carter, seconded by Abbas, to Grant. The motion passed by voice vote/other.

20. 64562 Operator License Application

Ashley Weisman - Establishment where employed: Ho-Chunk Gaming

Madison

A motion was made by Carter, seconded by Abbas, to Grant. The motion

passed by voice vote/other.

21. 64653 Change of Agent

Bassett Johnson Beverage LLC • dba Hampton Inn & Suites • 440 W

Johnson St

New Agent: Stephanie Portrey Class B Combination Liquor & Beer Aldermanic District 17 (Alder Baldeh)

A motion was made by Carter, seconded by Abbas, to Grant. The motion passed by voice vote/other.

22. 64654 Change of Agent

SP Roberts LLC • dba Pasqual's Cantina • 1344 E Washington Ave

New Agent: Julie Chamberlin Class B Combination Liquor & Beer Aldermanic District 2 (Alder Heck)

A motion was made by Carter, seconded by Abbas, to Grant. The motion

passed by voice vote/other.

23. 64655 Change of Agent

Circolo LLC • dba Pasqual's Cantina • 670 N Midvale Blvd

New Agent: Julie Chamberlin

Class B Combination Liquor & Beer Aldermanic District 11 (Alder Martin)

A motion was made by Carter, seconded by Abbas, to Grant. The motion passed by voice vote/other.

24. 64657 Change of Agent

HJ Liquors LLC • dba University Avenue Liquor • 525 University Ave

March 30, 2021

New Agent: Jackson Ansheles Class A Beer, Class A Liquor

Aldermanic District 4 (Alder Verveer)

A motion was made by Carter, seconded by Abbas, to Grant. The motion passed by voice vote/other.

25. 64659 Change of Agent

HJ Liquors LLC • dba City View Liquor • 6420 Cottage Grove Rd

New Agent: Jackson Ansheles Class A Beer, Class A Liquor

Aldermanic District 3 (Alder Lemmer)

A motion was made by Carter, seconded by Abbas, to Grant. The motion passed by voice vote/other.

26. 64660 Change of Agent

Two Pinners LLC • dba Cheba Hut • 453 W Gilman St

New Agent: Trevor Meadowcroft Class B Combination Liquor & Beer Aldermanic District 4 (Alder Verveer)

A motion was made by Carter, seconded by Abbas, to Grant. The motion passed by voice vote/other.

27. <u>64662</u> Entity Reorganization

Texas Roadhouse Inc • dba Texas Roadhouse

4841 Annamark Drive

Class B Combination Liquor & Beer Aldermanic District 17 (Alder Baldeh) Add one new officer, remove one officer

A motion was made by Carter, seconded by Abbas, to Grant. The motion passed by voice vote/other.

REPORT OF CITY ASSESSOR'S OFFICE

28. 64771 2021 Board of Assessors Appointments

A motion was made by Carter, seconded by Abbas, to Confirm Under Suspension of Rules 2.04, 2.05, 2.24 & 2.25. The motion passed by voice vote/other.

REPORT OF BOARD OF PUBLIC WORKS

29. 64398 Approving plans and specifications for public improvements necessary for the project known as 4800 Voges Road CSM and authorizing construction to be

undertaken by the Developer, Private Contract No. 9025. (16th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Carter, seconded by Abbas, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00225

30. <u>64460</u> Declaring the City of Madison's intention to exercise its police powers

establishing the Kroncke Drive, Lanett Circle, and Tanager Trail Assessment

District - 2021 (20th AD)

Sponsors: Christian A. Albouras

A motion was made by Carter, seconded by Abbas, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00226

31. 64461 Report of Engineering of Non-Bid Contract for Edna Taylor Conservation Park

CMP & Culvert Replacement. (16th AD)

A motion was made by Carter, seconded by Abbas, to Adopt. The motion

passed by voice vote/other.

32. <u>64473</u> Declaring the City of Madison's intention to exercise its police powers

establishing the Hooker Avenue, Sheridan Drive, Steensland Drive

Resurfacing Assessment District - 2021. (12th AD)

Sponsors: Syed Abbas

A motion was made by Carter, seconded by Abbas, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

A motion was made by Carter, seconded by Abbas, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00232

Sponsors:

BOARD OF PUBLIC WORKS

Approving temporary construction work with associated noise impacts between the hours of 7:00 PM to 7:00 AM (7:00 PM to 10:00 AM on Sunday) on Gammon Rd and Odana Rd. (1st & 19th AD)

Sponsors: Keith Furman

A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-21-00233

39. 64594

Authorizing the Mayor and City Clerk to enter into a contract for Purchase of Services (Architect) with OPN Architects to provide professional architectural and engineering consultant design services and construction administrative services for the existing Madison Fire Station 6 building located at 825 W Badger Road. (14th AD)

Sponsors: Satya V. Rhodes-Conway, Syed Abbas, Michael J. Tierney, Sheri

Carter and Paul E. Skidmore

A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-21-00234

40. 64595

Approving plans and specifications for public improvements required to serve Phase 10 of the Subdivision known as First Addition to 1000 Oaks and authorizing construction to be undertaken by the Developer, Private Contract No. 8963. (9th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Carter, seconded by Abbas, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00235

41. 64598

Approving plans and specifications for public asphalt surface pavement improvements required to serve Phase 10 of the Subdivision known as First Addition to 1000 Oaks and authorizing construction to be undertaken by the Developer, Private Contract No. 8964. (9th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Carter, seconded by Abbas, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

42. 64614 Declaring the City of Madison's intention to exercise its police powers

establishing the Melvin Court and Ridgeway Avenue Resurfacing Assessment

District - 2021. (12th AD)

Sponsors: Syed Abbas

A motion was made by Carter, seconded by Abbas, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00237

43. 64615 Awarding Public Works Contract No. 8987, Annual Construction &

Reconstruction of Concrete Sidewalk & Incidental Concrete Curb & Gutter

Work Ordered (Districts 14) by the Common Council. (14th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Carter, seconded by Abbas, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00238

44. 64616 Awarding Public Works Contract No. 8991, Annual Horizontal Sawcutting of

Concrete Sidewalk and Incidental Work (Districts 13) - 2021. (13th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Carter, seconded by Abbas, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00239

45. <u>64635</u> Approving plans and specifications for public improvements necessary for the

project known as 4411 Vernon Boulevard and authorizing construction to be

undertaken by the Developer, Private Contract No. 9028. (11th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Carter, seconded by Abbas, to Adopt Under Suspension

of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

46. 64645 Declaring the City of Madison's intention to exercise its police powers

establishing the North Park Street Sidewalk and Terrace Assessment District

- 2021. (8th AD)

Sponsors: Max Prestigiacomo

A motion was made by Carter, seconded by Abbas, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00241

47. <u>64647</u> Declaring the City of Madison's intention to exercise its police powers

establishing the Forster Drive Resurfacing Assessment District -2021. (12th

and 18th ADs)

Sponsors: Rebecca Kemble and Syed Abbas

A motion was made by Carter, seconded by Abbas, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00242

48. 64689 Approving plans and specifications for public improvements necessary for the

project known as 3302 Dairy Drive and authorizing construction to be undertaken by the Developer, Private Contract No. 9031. (16th AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Carter, seconded by Abbas, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00243

REPORT OF CITY CLERK

49. <u>63391</u> Report of Operator License Applications March 30, 2021. See attached report

for list of operators.

A motion was made by Carter, seconded by Abbas, to Grant. The motion passed by voice vote/other.

REPORT OF COMMON COUNCIL EXECUTIVE COMMITTEE

50. 64709 Creating the Task Force on Digital Inclusion Strategic Priorities.

> Keith Furman and Tag Evers Sponsors:

A motion was made by Carter, seconded by Abbas, to Adopt As Substituted. The motion passed by voice vote/other.

Enactment No: RES-21-00244

Agenda Note: CCEC will be meeting on 3/30/21 on Legislative File No. 64709 and a report will be made from the floor.

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC **DEVELOPMENT**

51. 64140 Approving a Certified Survey Map of property owned by Occupy Madison, Inc.

located at 2046 E Johnson Street; 12th Ald. Dist.

Planning Division Sponsors:

A motion was made by Carter, seconded by Abbas, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00245

52. 64337 Approving a revised Certified Survey Map of property owned by Bay View

Foundation, Inc. located at 601 Bay View; 13th Ald. Dist.

Planning Division Sponsors:

A motion was made by Carter, seconded by Abbas, to Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25. The motion passed by voice vote/other.

Enactment No: RES-21-00246

REPORT OF DOWNTOWN COORDINATING COMMITTEE

53. 64588 Amending the 2021 Operating Plan for Madison's Central Business

Improvement District.

Sponsors: Michael E. Verveer

A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.

REPORT OF FINANCE COMMITTEE

ROLL CALL

At 1:18 AM, Mayor Rhodes-Conway in the Chair.

Present: 18 - Satya V. Rhodes-Conway; Barbara Harrington-McKinney; Patrick W. Heck; Michael E. Verveer; Shiva Bidar; Marsha A. Rummel; Paul E. Skidmore; Zachary Henak; Arvina Martin; Syed Abbas; Tag Evers; Grant Foster; Michael J. Tierney; Samba Baldeh; Rebecca Kemble; Keith Furman; Max

Prestigiacomo and Nasra Wehelie

Excused: 3 - Lindsay Lemmer; Sheri Carter and Christian A. Albouras

54. 63920

SUBSTITUTE - Amending the 2021 Adopted Capital Budget for the Community Development Division's Men's Homeless Shelter capital project to accept and appropriate \$3 million from Dane County and Aauthorizing the City's execution of a Purchase and Sale Agreement between the City of Madison and BIP Enterprises, LLC, or their successors and assigns, for the purchase of the property located at 2002 Zeier Road in the City of Madison for homeless shelter purposes. (17th AD)

Satya V. Rhodes-Conway, Tag Evers, Rebecca Kemble, Grant Foster,

Max Prestigiacomo and Marsha A. Rummel

A motion was made by Carter, seconded by Abbas, to Refer.

The motion to Refer was rescinded by Carter.

A motion was made by Furman, seconded by Bidar, to Refer to a future Meeting to Adopt to the COMMON COUNCIL,. The motion passed by the following vote:

Ayes: 16 - Barbara Harrington-McKinney; Patrick W. Heck; Michael E. Verveer; Shiva Bidar; Marsha A. Rummel; Paul E. Skidmore; Zachary Henak; Arvina Martin; Syed Abbas; Tag Evers; Grant Foster; Michael J. Tierney; Rebecca Kemble; Keith Furman; Max Prestigiacomo and Nasra Wehelie

Noes: 1 - Samba Baldeh

Excused: 3 - Lindsay Lemmer; Sheri Carter and Christian A. Albouras

Non Voting: 1 - Satya V. Rhodes-Conway

Agenda Note: CCEC will be meeting on 3/30/21 on Legislative File No. 63920 and a report will be made from the floor.

Authorizing the Mayor and City Clerk to execute a lease with Gently Automotive LLC (d/b/a Apex Auto Sales and Repair), located at 3074-3076 East Washington Avenue, allowing for the use of the adjacent City-owned property located at 3098 East Washington Avenue for an expanded parking lot. (12 A.D.)

Sponsors: Syed Abbas

A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-21-00248

56. 64308

Amending the Police Department's 2021 Operating Budget to allocate pass-through grant funds to the University of Wisconsin Police Department (\$10,000) and Shorewood Hills Police Department (\$4,000) from an existing public safety grant from the Wisconsin Department of Transportation for a Pedestrian and Bicycle Safety Task Force.

Sponsors: Grant Foster, Patrick W. Heck, Christian A. Albouras and Nasra

Wehelie

A motion was made by Carter, seconded by Abbas, to Adopt - 15 Votes Required. The motion passed by voice vote/other.

Enactment No: RES-21-00249

57. <u>64331</u>

Recreate the 1.0 FTE position #3891 of Administrative Clerk 1 (CG20, R9), currently occupied by B. Hogendorn, as a "Program Assistant 1" (CG20, R11) in the CDA Housing Operations Division budget and reallocate the incumbent to the new position.

Sponsors: Satya V. Rhodes-Conway

A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-21-00250

58. 64552

Create the classification of Transit Safety Coordinator in CG 44, Range 5 in the salary schedule; and recreate the new position #4850 as a Transit Safety Coordinator in Metro Transit's operating budget.

Sponsors: Satya V. Rhodes-Conway

A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.

Authorizing a memorandum of understanding between Madison Fire Department and Journey Mental Health Center, Inc. to support the Crisis Response Team program.

Sponsors:

Arvina Martin, Satya V. Rhodes-Conway, Syed Abbas, Keith Furman,

Rebecca Kemble, Shiva Bidar, Lindsay Lemmer, Barbara

Harrington-McKinney, Patrick W. Heck, Michael E. Verveer, Michael J. Tierney, Marsha A. Rummel, Tag Evers, Grant Foster and Nasra

Wehelie

A motion was made by Abbas, seconded by Bidar, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-21-00223

60. 64586

Authorizing a five-year agreement with Dane County for the reimbursement of costs and placement of staff for the Crisis Response Team.

Sponsors:

Arvina Martin, Satya V. Rhodes-Conway, Syed Abbas, Keith Furman,

Rebecca Kemble, Shiva Bidar, Lindsay Lemmer, Barbara

Harrington-McKinney, Patrick W. Heck, Michael E. Verveer, Michael J. Tierney, Grant Foster, Marsha A. Rummel, Nasra Wehelie and Tag

Evers

A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-21-00252

61. <u>64630</u>

Amending the 2021 Operating Budget and Setting the 2021 Rates for the Sewer, Stormwater and Landfill.

Sponsors: Keith Furman

A motion was made by Carter, seconded by Abbas, to Adopt - 15 Votes Required. The motion passed by voice vote/other.

Enactment No: RES-21-00253

62. 64671

Authorizing a \$75,550 contract with Madison's Central Business Improvement District (BID) for \$75,550 to fund the continuation of the Downtown Activities Program focused on existing plazas around the Capitol Square and State Street (2nd, 4th and 8th AD), and to support the administration of a Downtown BLINK temporary art program.

Sponsors: Michael E. Verveer

A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.

63. 64693 Authorizing a \$195,000 Commercial Ownership Assistance Program Loan to

Midwest Gooh Group, LLC for the Go-oh Groceries project at 3554 E.

Washington Avenue. (15th AD)

Sponsors: Grant Foster, Satya V. Rhodes-Conway, Nasra Wehelie and Syed

Abbas

A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.

Enactment No: RES-21-00255

64. 64699 Amending MGO 4.32, "Commercial Ownership Assistance Program" to

Create Eligibility for New Businesses.

Sponsors: Grant Foster, Satya V. Rhodes-Conway and Nasra Wehelie

A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.

Enactment No: ORD-21-00029

REPORT OF PLAN COMMISSION

65. 64732 Percent for Art Ordinance Annual Report 2020

A motion was made by Carter, seconded by Abbas, to Accept. The motion passed by voice vote/other.

REPORT OF POLICE CIVILIAN OVERSIGHT BOARD

66. 63904 Amending 5.20(6) of the Madison General Ordinances related to the Police

Civilian Oversight Board Executive Subcommittee.

Sponsors: Shiva Bidar and Rebecca Kemble

A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.

Enactment No: ORD-21-00030

REPORT OF RISK MANAGER

67. 63451 R. Urquidi - property loss - \$2850.00.

A motion was made by Carter, seconded by Abbas, to Disallow. The motion passed by voice vote/other.

68. <u>64619</u> E. Stewart - vehicle damage - \$1045.72.

A motion was made by Carter, seconded by Abbas, to Disallow. The motion passed by voice vote/other.

69. J. Wild - vehicle damage - \$422.79.

A motion was made by Carter, seconded by Abbas, to Disallow. The motion passed by voice vote/other.

REPORT OF TRANSPORTATION COMMISSION

70. 64332 SUBSTITUTE - Repealing Subsection 5.01(4) and Creating Subdivision

3.14(3)(a)3 of the Madison General Ordinances to Formally Move the Crossing Guard Program from the Police Department to the Traffic

Engineering Division.

Sponsors: Satya V. Rhodes-Conway and Grant Foster

A motion was made by Carter, seconded by Abbas, to Adopt. The motion passed by voice vote/other.

Enactment No: ORD-21-00031

71. 64367 Authorizing the Mayor and City Clerk to execute an addendum to the August

1, 2013 parking lease agreement with Hovde Building, LLC, for 40-90 parking

stalls at the Overture Center parking garage.

Sponsors: Michael E. Verveer

A motion was made by Carter, seconded by Abbas, to Re-refer to the TRANSPORTATION COMMISSION. The motion passed by voice vote/other.

REPORT OF WATER UTILITY

72. 64247 Amending resolution RES-20-00803 to change the generator site location

from Madison Water Utility's Well 29 property to the Well 12 property.

Sponsors: Zachary Henak

A motion was made by Carter, seconded by Abbas, to Adopt. The motion

passed by voice vote/other.

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

ORDINANCES

73. 64778

Amending Sections 33.24(15)(e)3 and 33.24(15)(c) to add block 5.c. to the Urban Design District 8 Building Height, Location, and Setback table.

Sponsors:

Patrick W. Heck

This Ordinance was Referred to the URBAN DESIGN COMMISSION

74. 64797

Creating Sections 28.022 - 00497 of the Madison General Ordinances to change the zoning of property located at 1901 Aberg Avenue, 12th Aldermanic District, from IL (Industrial Limited) District to PD(GDP) Planned Development (General Development Plan), and creating and 28.022 - 00498 of the Madison General Ordinances to change the zoning of same from PD(GDP) Planned Development (General Development Plan) District and PD(SIP) Planned Development (Specific Implementation Plan) District.

Sponsors:

Planning Division

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

75. 64804

Creating Section 15.01(624) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 18th Aldermanic District the Cherokee Park, Inc./Madison Water Utility Attachment properties located at 4825 N. Sherman Avenue; 2023 Wheeler Road in the Town of Burke, and amending Section 15.02(112) of the Madison General Ordinances to assign the attached property to Ward 112; and assigning a temporary zoning classification of A Agricultural District.

Sponsors:

Satya V. Rhodes-Conway and Rebecca Kemble

This Ordinance was Refer to a future Meeting to Adopt to the COMMON COUNCIL

Creating Section 15.01(625) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 1st Aldermanic District the Wilmer A. and Sandra S. Dahl Properties located at 3246 and 3252 High Point Road in the Town of Middleton, and amending Section 15.02(114) of the Madison General Ordinances to assign the attached property to Ward 114; and assigning a temporary zoning classification of A Agricultural District.

Sponsors: Satya V. Rhodes-Conway

This Ordinance was Refer to a future Meeting to Adopt to the COMMON COUNCIL

RESOLUTIONS

77. 64599

Approving the issuance of a Request for Proposals (RFP) for the disposal of excess property at 10451 Old Sauk Road (the "Property") and establishing a process for the review of responses to the RFP and selection of a development team for the Property. (9th A.D.)

Sponsors: Paul E. Skidmore

Additional referrals to Board of Public Works (3/31/21), Finance Committee (4/5/21)

This Resolution was Referred to the WATER UTILITY BOARD

78. <u>64678</u>

Approving Facade Improvement Grant to Phil Parhamovich for a project located at 1254 E. Washington Avenue. (2nd AD)

Sponsors: Patrick W. Heck

This Resolution was Referred to the FINANCE COMMITTEE

79. 64770

Authorizing the Mayor and City Clerk to execute a Consent to Occupy Easement for the benefit of Madison Gas and Electric Company to allow new underground electrical service lateral improvements within an existing Easement for All Public Uses granted to the City, which encumbers the properties located at 6226 N. Highlands Avenue and 1405 E. Skyline Drive. (19th AD)

Sponsors: Keith Furman

This Resolution was Referred to the BOARD OF PUBLIC WORKS

80.	<u>64793</u>	Authorizing the City's execution of a Fifth Amendment to Lease, with Rooted WI, Inc, for the purpose of expanding the area of three community gardens located on City-owned land.
		Sponsors: Grant Foster and Michael J. Tierney
		This Resolution was Referred to the BOARD OF PARK COMMISSIONERS
81.	<u>64794</u>	Approving the Amendment to the Project Plan for Tax Incremental District (TID) 41 (University-Whitney), City of Madison.
		Sponsors: Keith Furman and Satya V. Rhodes-Conway
		This Resolution was Referred to the FINANCE COMMITTEE
82.	<u>64795</u>	Approving the Amendment to the Project Plan for Tax Incremental District (TID) 42 (Wingra), City of Madison.
		<u>Sponsors:</u> Tag Evers, Sheri Carter and Satya V. Rhodes-Conway
		This Resolution was Referred to the FINANCE COMMITTEE
83.	<u>64796</u>	Approving the Amendment to the Project Plan for Tax Incremental District (TID) 39 (Stoughton Road), City of Madison.
		<u>Sponsors:</u> Michael J. Tierney and Satya V. Rhodes-Conway
		This Resolution was Referred to the FINANCE COMMITTEE
84.	<u>64819</u>	Establishing a Glass-Free Zone for the West Mifflin Street area from 6:00 a.m. on April 24, 2021 through 6:00 a.m. on April 25, 2021.
		<u>Sponsors:</u> Michael E. Verveer
		This Resolution was Referred to the PUBLIC SAFETY REVIEW COMMITTEE
85.	<u>64821</u>	Authorizing the Mayor and City Clerk to Enter into Boat Launch Use Agreements With Joe Daniels Construction Co., Inc. to Use the Marshall Park Boat Launch for Private Shoreline Restoration Work
		<u>Sponsors:</u> Keith Furman and Zachary Henak

This Resolution was Referred to the BOARD OF PARK COMMISSIONERS

86. <u>64822</u>

Authorizing the Mayor and the City Clerk to execute an Amendment to the contract between the City of Madison and KL Engineering, Inc., for additional design engineering services for University Avenue from Shorewood Boulevard to University Bay Drive and amending the 2021 Capital Budget to transfer \$300,000 of existing GO borrowing authority from Reconstruction Streets (major 10226) to University Avenue (project 11168) in the Engineering-Major Streets Capital Budget. (5th AD)

Sponsors: Shiva Bidar

This Resolution was Referred to the FINANCE COMMITTEE

87. 64823

Authorizing the Mayor and the City Clerk to execute an Amendment to the contract between the City of Madison and Strand Associates, Inc. for additional design engineering services for Pleasant View Road from USH 14 to Timber Wolf Trail and amending the 2021 Capital Budget to transfer \$215,000 of existing GO borrowing authority from Reconstruction Streets (major 10226), McKee Rd (10245), Mineral Point Rd (project 11165) to Pleasant View Road (project 10284) in the Engineering-Major Streets Capital Budget. (9th AD)

Sponsors: Paul E. Skidmore

This Resolution was Referred to the FINANCE COMMITTEE

88. 64824

Amending the 2021 Capital Budget to transfer \$650,000 of existing GO borrowing authority from Park Street, South (Project 11132) to CTH M (Project 10232) and \$2,400,000 from the Ice Age Junction Path (project 11159) to CTH M (Project 10232) in the Engineering-Major Streets and Engineering - Bicycle and Pedestrian Capital Budgets. (1st AD)

Sponsors: Barbara Harrington-McKinney

This Resolution was Referred to the FINANCE COMMITTEE

89. 64825

Amending the 2021 Capital Budget to transfer \$80,000 of existing GO borrowing authority from Reconstruction Streets (Major 10226) to E Johnson (Project 10287) and McKenna Blvd Flood Mitigation Phase 2 (Project 12746) in the Engineering-Major Streets Capital Budget. (2nd AD)

Sponsors: Patrick W. Heck

This Resolution was Referred to the FINANCE COMMITTEE

LICENSES

90. 64719 Public Hearing - New License

Brickhouse Barbeque LLC • dba Riley's Bar & Grill

408 W Gorham St. • Agent: Adam Bents • Estimated Capacity: 300/100

Class B Combination Liquor & Beer • 40% alcohol, 60% food Aldermanic District 4 (Alder Verveer) • Police Sector 403

This License was Referred to the ALCOHOL LICENSE REVIEW COMMITTEE

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

91.	<u>64672</u>	State Farm for K. Grosse - vehicle damage - \$5211.71.
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This Claim was Referred to the Risk Manager

92. 64677 NOTICE OF CLAIM: Phillip S. Georges, PLLC, for B. Seaman - personal injury - amount to be determined.

This Claim was Referred to the Risk Manager

93. K. Rohe - vehicle damage - \$1081.99.

This Claim was Referred to the Risk Manager

This Claim was Referred to the Risk Manager

This Claim was Referred to the Risk Manager

96. C. Haaland - vehicle damage - \$991.38.

This Claim was Referred to the Risk Manager

97. P. Lombardo - vehicle damage - \$1747.54.

This Claim was Referred to the Risk Manager

98. 64815 D. Schoer - vehicle damage - \$1361.73.

This Claim was Referred to the Risk Manager

THE FOLLOWING ITEMS WERE INTRODUCED FROM THE FLOOR AT THE LAST COMMON COUNCIL MEETING AND ARE ON THIS AGENDA PURSUANT TO SEC. 2.05(1) (B), MGO, SOLELY FOR THE PURPOSE OF ADDING ADDITIONAL REFERRALS.

99. 64676 Wisconsin Institute of Law and Liberty on behalf of Associated Builders and

Contractors of Wisconsin et.al., enforcement of MGO §28.129, amount to be

determined.

ADDENDUM

LATE ITEMS

Amended Agenda note: Recommended action for Legislative File No. 63902, Agenda Item 8: Recess Public Hearing and Refer to 5/18/21 (originally listed on agenda as 4/20/21) Common Council meeting at request of Council Leadership.

REPORT OF LANDLORD & TENANT ISSUES COMMITTEE

100. 63896 Amending Section 32.04(4)(d) of the Madison General Ordinances to allow

the Rent Abatement Hearing Examiner to Order Abatement of Rent Under

Multiple Sections of the Impairing List.

Sponsors: Max Prestigiacomo and Michael E. Verveer

A motion was made by Carter, seconded by Abbas, to Adopt. The motion

passed by voice vote/other.

Enactment No: ORD-21-00032

REPORT OF PUBLIC SAFETY REVIEW COMMITTEE

101. <u>64342</u> SUBSTITUTE - Endorsing all aspects of the restorative justice programs and

encouraging MPD to take necessary steps to expand these programs.

Sponsors: Shiva Bidar, Nasra Wehelie, Rebecca Kemble, Syed Abbas, Barbara

Harrington-McKinney, Sheri Carter, Tag Evers, Grant Foster, Marsha A.

Rummel, Keith Furman, Patrick W. Heck, Arvina Martin, Lindsay

Lemmer, Michael E. Verveer and Max Prestigiacomo

A motion was made by Bidar, seconded by Carter, to Adopt. The motion

passed by voice vote/other.

Enactment No: RES-21-00224

NEW BUSINESS FOR REFERRAL

102. 64845 Approving an Addendum to Loan Agreements between the City and UC

Nexus, LLC and Valor on Washington, LLC Pursuant to MGO 39.02(9)(g)(13)

Sponsors: Arvina Martin

This Resolution was Referred to the AFFIRMATIVE ACTION COMMISSION

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

ADJOURNMENT

A motion was made by Wehelie, seconded by Abbas, to Adjourn at 2:04AM. The motion passed by voice vote/other.