



City of Madison

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

Proceedings - Approved COMMON COUNCIL

This meeting can be viewed LIVE on Madison City Channel, cable channel 98, digital channel 994, or at www.madisoncitychannel.tv.

Tuesday, January 21, 2014

6:30 PM

210 Martin Luther King, Jr. Blvd.
Room 201 (City-County Building)

ROLL CALL

at 6:33 p.m., Alder Schmidt in the Chair.

Present: 19 - Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Excused: 2 - Paul R. Soglin
Sue Ellingson

NOTIFIED ABSENCES: Mayor Soglin, Alder Ellingson

OPENING REMARKS

SUSPENSION OF RULES

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.

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

HONORING RESOLUTIONS

1. [32679](#) Commending the Junior League of Madison on their 25th Anniversary and proclaiming January 25, 2014 as "Junior League of Madison Day".
- Sponsors:** Chris Schmidt, Scott J. Resnick, Paul R. Soglin, David Ahrens, Shiva Bidar-Sielaff, Maurice S. Cheeks, Joseph R. Clausius, Mark Clear, Lauren Cnare, Denise DeMarb, Sue Ellingson, Steve King, Larry Palm, Matthew J. Phair, Marsha A. Rummel, Paul E. Skidmore, John Strasser, Lisa Subeck, Michael E. Verveer, Anita Weier and Ledell Zellers

A motion was made by Resnick, seconded by Verveer, 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-14-00040

PETITIONS AND COMMUNICATIONS

PETITIONS REFERRED TO THIS MEETING

2. [32667](#) Petition received in the Madison City Clerk's Office December 26, 2013 from Eldeberry Associates LLC, regarding attachment from the Town of Middleton to the City of Madison

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

EARLY PUBLIC COMMENT

None

SPECIAL ORDER OF BUSINESS AT 6:45 PM

PRESENTATION OF CONSENT AGENDA

A motion was made by Resnick, seconded by Clausius, to Adopt the Consent Agenda. 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.

Take A Recess at 6:42 p.m.

Reconvene at 6:46 p.m.

- Present:** 19 - Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair
- Excused:** 2 - Paul R. Soglin
Sue Ellingson

RECESSED PUBLIC HEARING - BEGINS AT 6:45 PM

REPORT OF PLAN COMMISSION

3. [31820](#) SUBSTITUTE Creating Section 28.06(2)(a)00086. of the Madison General Ordinances to rezone property from A (Agricultural) District to TR-C3 (Traditional Residential - Consistent 3) District; and creating Section 28.06(2)(a)00087. of the Madison General Ordinances to rezone property from A (Agricultural) District to TR-U1 (Traditional Residential - Urban 1) District to demolish 3 single-family residences and create 44 single-family lots, 2 lots for future multi-family development and 2 outlots for public stormwater management at 901-1001 Sugar Maple Lane, 1st Aldermanic District.

Sponsors: Planning Division

One Registrant in support not wishing to speak. One Registrant in support available to answer questions.

A motion was made by Resnick, seconded by Clausius, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-14-00014

4. [32299](#) Amending Sections 28.032, 28.061, 28.072, 28.082, 28.091, and 28.151 of the Madison General Ordinances to amend zoning regulations for Family Day Care Homes.

Sponsors: Lisa Subeck

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

Enactment No: ORD-14-00015

PUBLIC HEARINGS - BEGIN AT 6:45 PM

REPORT OF BOARD OF PUBLIC WORKS

5. [32662](#) Approving Plans, Specifications, And Schedule Of Assessments For State Street Reconstruction Assessment District - 2014.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-14-00041

REPORT OF PLAN COMMISSION

6. [32265](#) Creating Section 28.022 -- 00091 of the Madison General Ordinances to change the zoning of property located at 149 East Wilson Street, 4th Aldermanic District, from UMX (Urban Mixed Use) District to DC (Downtown Core) District to allow demolition of an office building and construction of a mixed-use building with 9,100 square feet of commercial space and 127 apartments.

Sponsors: Planning Division

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

7. [32267](#) Creating Section 28.022 -- 00092 of the Madison General Ordinances to change the zoning of property located at 409 East Washington Avenue, 6th Aldermanic District, from UMX (Urban Mixed Use) District to DR-1 (Downtown Residential 1) District to convert an existing commercial building to a single-family residence.

Sponsors: Planning Division

A motion was made by Resnick, seconded by Clausius, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-14-00016

8. [32269](#) Creating Section 28.022 -- 00095 of the Madison General Ordinances to change the zoning of property located at 1902 Tennyson Lane, 12th Aldermanic District, from SR-C1 (Suburban Residential-Consistent 1) District to SR-V2 (Suburban Residential-Varied 2) District to provide zoning for the future development of 72 apartment units in 2 buildings and 24 single-family lots

Sponsors: Planning Division

Two Registrants in support wishing to speak. Five Registrants in support available to answer questions.

A motion was made by Resnick, seconded by Clausius, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-14-00018

9. [32270](#) Creating Section 28.022 -- 00093 of the Madison General Ordinances to amend a Planned Development District to approve an Amended General Development Plan to allow future construction of 8 townhouse units in 2 buildings on the site of an existing pool at 7102 Discovery Lane, 7th Aldermanic District.

Sponsors: Planning Division

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

10. [32271](#) Creating Section 28.022 -- 00094 of the Madison General Ordinances to amend a Planned Development District to approve an Amended General Development Plan and a Specific Implementation Plan to construct a mixed use building with 2,000-15,000 square feet of commercial space and 82 apartments and approve an Amended General Development Plan for an adjacent future 38-unit apartment building at properties located at 5851 Gemini Drive and 841 Jupiter Drive, 3rd Aldermanic District.

Sponsors: Planning Division

Two Registrants in support not wishing to speak.

A motion was made by Resnick, seconded by Cnare, to Adopt with Conditions and Close the Public Hearing. The motion passed by voice vote/other.

Enactment No: ORD-14-00017

END OF PUBLIC HEARINGS

BUSINESS PRESENTED BY THE MAYOR

11. [32651](#) Report of the Mayor submitting citizen committee appointments (introduction 1-7-2014; action 1-21-2014).

Sponsors: Paul R. Soglin

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

12. [32821](#) Report of the Mayor submitting an alder committee appointment.

Sponsors: Paul R. Soglin

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

13. [32831](#) Report of the Mayor submitting citizen committee appointments (introduction 1-21-2014; action 2-4-2014).

Sponsors: Paul R. Soglin

Confirm at 2-4-2014 Common Council Meeting

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

BUSINESS PRESENTED BY THE PRESIDENT OF THE COMMON COUNCIL

14. [29485](#) Accepting the revised TIF Policy approved by the Economic Development Committee on February 20, 2013 for Common Council consideration and adoption.

Sponsors: Scott J. Resnick, Jill Johnson, Mark Clear, Paul R. Soglin, Shiva Bidar-Sielaff, Chris Schmidt, Sue Ellingson and Michael E. Verveer

A motion was made by Ahrens, seconded by Rummel, to Refer to the SUSTAINABLE MADISON COMMITTEE. The motion failed by the following vote:

Ayes: 8 - Lisa Subeck
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Larry Palm
David Ahrens
Denise DeMarb
Anita Weier

Noes: 11 - Ledell Zellers
Lauren Cnare
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
John Strasser
Joseph R. Clausius
Mark Clear
Matthew J. Phair

Excused: 2 - Paul R. Soglin
Sue Ellingson

A motion was made by Ahrens, seconded by Rummel, to Refer to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE. The motion passed by voice vote/other.

15. [32806](#) Adopting and confirming Revision No. 285 of the Madison General Ordinances as of December 15, 2013 to incorporate the changes pursuant to Wis. Stat. § 66.0103.

Sponsors: CITY ATTORNEY

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

Enactment No: ORD-14-00019

REPORTS OF OFFICERS

REPORT OF ALCOHOL LICENSE REVIEW COMMITTEE

- 16. [32829](#) Alcohol License Review Committee Report of Operator License Applications 1-21-2014. See attached report for list of operators.

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

REPORT OF BOARD OF ESTIMATES

- 17. [31729](#) Resolution for the City of Madison to Not Purchase or Use Corn Based Ethanol and Corn Based Ethanol Fuel Blends for its Fleet

Sponsors: Paul R. Soglin

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

Enactment No: RES-14-00042

- 18. [32180](#) Amending the 2014 Stormwater Operating Budget and Authorizing the City of Madison, through the City Engineer, to accept a Yahara-Wins grant award in the amount of \$10,000.00 to fund the hiring of additional staff to work on and with developers of significant redevelopment projects to improve erosion control.

Sponsors: Sue Ellingson, Marsha A. Rummel, Ledell Zellers and Paul E. Skidmore

A motion was made by Resnick, seconded by Clausius, to Adopt Unanimously. The motion passed by the following vote:

Ayes: 19 - Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Excused: 2 - Paul R. Soglin
Sue Ellingson

Enactment No: RES-14-00043

19. [32221](#) Approving a Facade Improvement Grant to 511 N. Carroll Street, The Alano Society Inc., Grantee.

Sponsors: Ledell Zellers

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

Enactment No: RES-14-00044

20. [32251](#) Recreate the 1.0 FTE position of Architect 3, #4309 (occupied by B. Cooper), in CG18-10, as an Architect 4, CG18-12 in the Engineering Division budget. Reallocate the respective incumbent of position #4309 to the new position.

Sponsors: Paul R. Soglin

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

Enactment No: RES-14-00045

- 21. [32254](#) Classifying the new position of Golf Clubhouse Supervisor, in the 2014 Parks Division budget, in CG18, Range 3, and recreating the new position in the appropriate Compensation Group and Range.

Sponsors: Paul R. Soglin

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

Enactment No: RES-14-00046

- 22. [32262](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classification of "Marketing and Communications Specialist" in Compensation Group 18, Range 04.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-14-00020

- 23. [32286](#) Authorizing the Mayor, City Clerk and Chief of Police to accept a \$60,000 public safety grant from the Wisconsin Department of Transportation for alcohol enforcement in 2014

Sponsors: Paul E. Skidmore

A motion was made by Resnick, seconded by Clausius, to Adopt Unanimously. The motion passed by the following vote:

- Ayes:** 19 - Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

- Excused:** 2 - Sue Ellingson
Paul R. Soglin

Enactment No: RES-14-00047

- 24. [32293](#) Amending Section 3.54(1)(b) of the Madison General Ordinances by creating the classification of "Golf Clubhouse Supervisor" in Compensation Group 18, Range 03.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-14-00021

- 25. [32297](#) Authorizing the Mayor and the City Clerk to sign a contract with the Madison Metropolitan School District (MMSD) to provide a Madison Out-of-School Time Coordinator for the Madison Out-of-School Time Initiative (MOST).

Sponsors: Paul R. Soglin, Shiva Bidar-Sielaff, Matthew J. Phair and Marsha A. Rummel

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

Enactment No: RES-14-00048

- 26. [32309](#) Authorizing the Mayor, City Clerk and Chief of Police to accept \$8,600 in overtime funds from the U.S. Marshals Service to allow Police Department participation in its Joint Law Enforcement Fugitive Apprehension Squad

Sponsors: Paul E. Skidmore

A motion was made by Resnick, seconded by Clausius, to Adopt Unanimously. The motion passed by the following vote:

- Ayes:** 19 - Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair
Lisa Subeck

Excused: 2 - Sue Ellingson
Paul R. Soglin

Enactment No: RES-14-00049

27. [32316](#)

Authorizing the CDBG Office to accept a supplemental award of funds from the State of Wisconsin's Neighborhood Stabilization Program (NSP) on behalf of Housing Initiatives, Inc. and amending the 2014 CDBG Adopted Operating Budget to recognize \$27,500 in additional expenditure and revenue authority; and authorizing the Mayor and City Clerk to execute agreements with the State of Wisconsin and Housing Initiatives, Inc. to implement a specific rental housing project for low income households with NSP funds at a previously foreclosed property; and authorizing the Mayor and City Clerk to execute a Subordination of Mortgage in favor of first mortgage financing for two previously approved loans to Housing Initiatives, Inc. to Wisconsin Housing and Economic Development Authority (WHEDA) in forms as shall be approved by the City Attorney consistent with this Resolution.

Sponsors: Maurice S. Cheeks, Lauren Cnare and Matthew J. Phair

**A motion was made by Resnick, seconded by Clausius, to Adopt Unanimously.
The motion passed by the following vote:**

Ayes: 19 - Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair
Lisa Subeck
Ledell Zellers

Excused: 2 - Sue Ellingson
Paul R. Soglin

Enactment No: RES-14-00050

- 28. [32518](#) Authorizing a contract with Forward Community Investments to develop Gardens for Empowerment

Sponsors: Matthew J. Phair

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

Enactment No: RES-14-00051

- 29. [32530](#) Authorizing the Mayor, City Clerk and Chief of Police to sign an inter-governmental agreement to collaborate with various other Dane County law enforcement agencies in a multi-jurisdiction public safety grant from the Wisconsin Department of Transportation, administered by the Village of DeForest, for traffic safety efforts related to impaired driving, and accepting up to \$4,000 for overtime for this initiative

Sponsors: Joseph R. Clausius and Paul E. Skidmore

A motion was made by Resnick, seconded by Clausius, to Adopt Unanimously. The motion passed by the following vote:

- Ayes:** 19 - Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair
Ledell Zellers
Lisa Subeck
Lauren Cnare

- Excused:** 2 - Sue Ellingson
Paul R. Soglin

Enactment No: RES-14-00052

30. [32578](#) SUBSTITUTE - A Resolution authorizing the Fleet Service Superintendent to sign an In-House Repair Center (IRC) Agreement with Scott Safety for repair of Fire Department breathing apparatuses. ~~Agreement between Scott Safety and City of Madison Fleet Service for an In-House Repair Center~~

Sponsors: Paul R. Soglin

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

Enactment No: RES-14-00053

31. [32590](#) SECOND SUBSTITUTE Authorizing the Mayor and City Clerk to execute a loan agreement with Lutheran Social Services of Wisconsin and Upper Michigan, Inc. or an affiliate legal entity, for up to ~~\$795,000~~ \$500,000 in Housing Development Reserve funds and up to \$295,000 in Affordable Housing Trust Funds for the development of multi-family affordable rental housing at the Tennyson Lane site and amending the budget of the Affordable Housing Trust Fund to authorize the expenditure. The loans will partially finance the development of 72 units of multi-family rental housing.

Sponsors: Maurice S. Cheeks, Lauren Cnare and Matthew J. Phair

Two Registrants in support not wishing to speak. Three Registrants in support available to answer questions.

A motion was made by Resnick, seconded by Verveer, to Adopt Unanimously. The motion passed by the following vote:

- Ayes:** 19 - Shiva Bidar-Sielaff
 Marsha A. Rummel
 Steve King
 Scott J. Resnick
 Paul E. Skidmore
 Maurice S. Cheeks
 Chris Schmidt
 Larry Palm
 John Strasser
 David Ahrens
 Denise DeMarb
 Joseph R. Clausius
 Anita Weier
 Mark Clear
 Matthew J. Phair
 Ledell Zellers
 Lauren Cnare
 Michael E. Verveer
 Lisa Subeck

- Excused:** 2 - Sue Ellingson
 Paul R. Soglin

Enactment No: RES-14-00054

32. [32591](#) Resolution authorizing a double-fill of a Field Service Representative in the Water Utility.

Sponsors: Paul R. Soglin

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

Enactment No: RES-14-00055

33. [32604](#) Authorizing the Mayor and City Clerk to enter into an agreement with the Capital Area Regional Planning Commission (CARPC) for the Madison Area Transportation Planning Board (TPB) to provide transportation planning services to CARPC and for CARPC to provide population and employment forecasting services to the Madison Area TPB in calendar year 2014.

Sponsors: Mark Clear and Steve King

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

Enactment No: RES-14-00056

34. [32609](#) Reclassification of a vacant Parks Maintenance Worker 1 (#1548) position in Parks to a Arborist 1.

Sponsors: Paul R. Soglin

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

Enactment No: RES-14-00057

35. [32610](#) Reclassification of a vacant Clerk Typist 2 (#3303) position at the Library to a Library Assistant 1.

Sponsors: Paul R. Soglin

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

Enactment No: RES-14-00058

36. [32621](#) Approving an agreement with Madison Area Technical College (MATC) for fire and emergency medical services training and testing services.

Sponsors: Paul E. Skidmore

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

Enactment No: RES-14-00059

37. [32629](#) Amending the 2014 Fleet Services Capital Budget for Fire Equipment Replacement

Sponsors: Paul E. Skidmore and Joseph R. Clausius

A motion was made by Resnick, seconded by Clausius, to Adopt Unanimously. The motion passed by the following vote:

Ayes: 19 - Marsha A. Rummel
Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Lisa Subeck

Excused: 2 - Sue Ellingson
Paul R. Soglin

Enactment No: RES-14-00060

38. [32643](#) Amending Sections 9.24(4)(b) and 11.06(5)(a) of the Madison General Ordinances to revise miscellaneous secondhand dealer and public passenger vehicle license fees.

Sponsors: Michael E. Verveer

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

Enactment No: ORD-14-00022

39. [32663](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Highland Manor Storm Shelter and amending the 2014 Parks Capital Budget to add \$275,000 of General Obligation Funding to provide for estimated cost overruns for the project.

Sponsors: John Strasser

A motion was made by Resnick, seconded by Clausius, to Adopt Unanimously. The motion passed by the following vote:

Ayes: 19 - Steve King
Scott J. Resnick
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Lisa Subeck

Excused: 2 - Sue Ellingson
Paul R. Soglin

Enactment No: RES-14-00061

40. [32666](#) Approving the Fire Chief or his designee to sign inter-governmental agreements with other jurisdictions.

Sponsors: Paul E. Skidmore

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

Enactment No: RES-14-00062

41. [32692](#) Adopting and confirming the modification to the Agreement between the City of Madison and the Madison Professional Police Officers Association (MPPOA) for the period January 1, 2012 through December 31, 2015.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-14-00023

- 42. [32693](#) Adopting and confirming the modification to the Labor Agreement between the City of Madison and the International Association of Firefighters Local 311 for the period January 1, 2012 through December 31, 2015.

Sponsors: Paul R. Soglin

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

Enactment No: ORD-14-00024

REPORT OF BOARD OF PUBLIC WORKS

- 43. [32317](#) Approving temporary construction work with associated noise impacts between the hours of 7:00 PM and 7:00 AM on West Badger Rd from Fish Hatchery Road to the west dead end of Badger Road. (14th AD)

Sponsors: BOARD OF PUBLIC WORKS

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

Enactment No: RES-14-00063

- 44. [32569](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Elver and Reindahl Park Splash Pads. (1st & 17th ADs)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-14-00064

- 45. [32603](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for West Badger Road and Lancaster Drive Water Main Replacement (14th AD).

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-14-00065

- 46. [32623](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Tenney Park Concrete Bridge Historic Restoration - 2014. (2nd AD)

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-14-00066

- 47. [32650](#) Determining a Public Purpose and necessity and adopting a Relocation Order for the City of Madison to obtain a Temporary Limited Easement for Grading and Sloping over a portion of and also purchase a portion of the Garfoot Living Trust property within the Town of Middleton (Parcel No. 038-0708-214-9000-4), being adjacent to the recorded subdivisions of Blackhawk Church Town Center Plat and Woodstone Replat No. 3, which are required for the planned public street improvements for Bear Claw Way from Brader Way to Cobalt Street, and authorizing the Mayor and City Clerk to sign all documents necessary to accomplish the acquisition of said properties. (9th AD)

Sponsors: Paul E. Skidmore

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

Enactment No: RES-14-00067

- 48. [32654](#) Authorizing the Mayor and City Clerk to enter into a cost sharing agreement with the City of Middleton for the resurfacing of Gammon Road from 500 feet south of Tree Lane to 500 feet north of Middleton Street.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-14-00068

49. [32655](#) Approving the City of Madison Standard Specifications for Public Works Construction, 2014 Edition.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-14-00069

50. [32656](#) Declaring the City of Madison's intention to exercise its police powers establishing the Stoughton Road/Voges Road Intersection Improvement Assessment District-2014.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-14-00070

51. [32658](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for the Annual Construction and Reconstruction of Concrete Sidewalk and Incidental Concrete Curb and Gutter Work Ordered (Districts 11 and 19) by the Common Council.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-14-00071

52. [32659](#) Ordering Property Owners to Repair or Replace Substandard and Defective Sidewalks in the 11th and 19th Aldermanic Districts.

Sponsors: BOARD OF PUBLIC WORKS

A motion was made by Resnick, seconded by Clausius, 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-14-00072

53. [32660](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Annual Horizontal Sawcutting of Concrete Sidewalk and Incidental Work.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Resnick, seconded by Clausius, 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-14-00073
54. [32661](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for Sidewalk, Curb & Gutter, and Concrete Pavement Patches, Citywide Installation and Repair-2014 .
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Resnick, seconded by Clausius, 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-14-00074
55. [32678](#) Approving plans and specifications and authorizing the Board of Public Works to advertise and receive bids for 2014 Park Division, Parking & Water Utility Landscaping.
- Sponsors:** BOARD OF PUBLIC WORKS
- A motion was made by Resnick, seconded by Clausius, 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-14-00075

REPORT OF PLAN COMMISSION

56. [31683](#) Approving the preliminary plat of Sugar Maple on property located at 901-1001 Sugar Maple Lane; 1st Ald. Dist.
- Sponsors:** Planning Division
- A motion was made by Resnick, seconded by Clausius, to Adopt with Conditions. The motion passed by voice vote/other.**
- Enactment No: RES-14-00076

57. [32477](#) Accepting the Madison Municipal Building Conceptual Schematic Design Study by Isthmus Architecture, Inc.
Sponsors: Paul R. Soglin, Michael E. Verveer and Marsha A. Rummel
- A motion was made by Resnick, seconded by Clausius, to Adopt. The motion passed by voice vote/other.**
Enactment No: RES-14-00077
58. [32531](#) Approving a revised Certified Survey Map of property owned by NEW WEI, LLC generally located at 9414 Silicon Prairie Parkway; 9th Ald. Dist.
Sponsors: Planning Division
- One Registrant in support not wishing to speak.
- A motion was made by Resnick, seconded by Clausius, 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-14-00078
59. [32634](#) Amending the Northport-Warner Park-Sherman Neighborhood Plan to recommend medium-density residential uses on the west-central portion of the approximately 19.46-acre Keller property located generally north of Tennyson Lane and east of a future extension Eliot Lane.
Sponsors: Larry Palm
- Two Registrants in support not wishing to speak. Five Registrants in support available to answer questions.
- A motion was made by Resnick, seconded by Verveer, to Adopt. The motion passed by voice vote/other.**
Enactment No: RES-14-00079
60. [32652](#) Authorizing the execution of a Release of an Off-Site Advertising Sign Restriction to Plan D Investment LLC and Apex Investment Group VIII LLC, for their properties located at 6201 and 6109 Odana Road, respectively.
Sponsors: Mark Clear
- A motion was made by Resnick, seconded by Clausius, to Adopt. The motion passed by voice vote/other.**
Enactment No: RES-14-00080

REPORT OF DEPARTMENT OF PLANNING AND COMMUNITY AND ECONOMIC DEVELOPMENT

- 61. [32538](#) Approving a Certified Survey Map of property owned by John Bonsett-Veal located at 425 W. Washington Avenue; 4th Ald. Dist.

Sponsors: Planning Division

A motion was made by Resnick, seconded by Clausius, 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-14-00081

REPORT OF RISK MANAGER

- 62. [32471](#) K. Costello - vehicle damage - \$316.50.

A motion was made by Resnick, seconded by Clausius, to Disallow. The motion passed by the following vote:

Ayes: 18 - Lisa Subeck
Ledell Zellers
Lauren Cnare
Michael E. Verveer
Shiva Bidar-Sielaff
Marsha A. Rummel
Steve King
Paul E. Skidmore
Maurice S. Cheeks
Chris Schmidt
Larry Palm
John Strasser
David Ahrens
Denise DeMarb
Joseph R. Clausius
Anita Weier
Mark Clear
Matthew J. Phair

Recused: 1 - Scott J. Resnick

Excused: 2 - Paul R. Soglin
Sue Ellingson

- 63. [32478](#) B. Volkmann - vehicle damage - \$611.37.

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

- 64. [32512](#) N. Waugh - personal injury - \$20,000.00.

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

- 65. [32618](#) J. Jopp - vehicle damage - \$370.80.

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

REPORT OF TRANSIT/ PARKING COMMISSION

- 66. [32288](#) Authorizing the Transit General Manager to file an application for a Section 5309 Bus and Bus Facility, Discretionary Grant, Earmark public transit capital grant with U.S. Department of Transportation and authorizing the Mayor and the City Clerk to execute the associated grant agreement with USDOT and the associated 13 (c) agreement with Teamsters Local No. 695.

Sponsors: Sue Ellingson, Chris Schmidt and Anita Weier

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

Enactment No: RES-14-00082

- 67. [32612](#) Authorizing the execution of an amendment to a sub lease for two office suites at 1245 E Washington Avenue for Metro Transit's in house advertising program and paratransit services.

Sponsors: Marsha A. Rummel

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

Enactment No: RES-14-00083

INTRODUCTION OF NEW BUSINESS FOR REFERRAL WITHOUT DEBATE

CHARTER ORDINANCES

- 68. [32814](#) CHARTER ORDINANCE Creating Section 34.907(2) as a Charter Ordinance of the Madison General Ordinances to require landlords to furnish fire education to new tenants, and renumbering Section 34.907(2) to 34.907(3).

Sponsors: Paul R. Soglin, Michael E. Verveer, Scott J. Resnick, Chris Schmidt, Mark Clear, Shiva Bidar-Sielaff, Marsha A. Rummel and Anita Weier

Additional referral to Public Safety Review Committee

This Charter Ordinance was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

ORDINANCES

- 69. [32785](#) Amending Section. 1.08(3)(a) of the Madison General Ordinances to create a bail deposit for violation of required dog license and second violation of required cat license.

Sponsors: John Strasser

This Ordinance was Referred to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY

- 70. [32796](#) Creating Section 28.022 -- 00101 of the Madison General Ordinances to rezone a portion of the property at 3118 Harvey Street, 5th Aldermanic District, from TR-U1 (Traditional Residential - Urban 1) District to CC-T (Commercial Corridor - Transitional) District to allow carports to be constructed in the rear yards of an existing mixed-use building and apartment building and to reflect a lot line adjustment between this parcel and 3009 University Avenue.

Sponsors: Planning Division

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

- 71. [32797](#) Creating Section 28.022 -- 00102 of the Madison General Ordinances to change the zoning of property located at 710 East Mifflin Street and 124 North Livingston Street, 2nd Aldermanic District, from PD (Planned Development) and TE and (Traditional Employment) Districts to TR-U2 (Traditional Residential-Urban 2) District to allow demolition of an industrial building and future development of property with 196 multi-family dwelling units.

Sponsors: Planning Division

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

- 72. [32801](#) Creating Section 28.022 -- 00100 of the Madison General Ordinances to change the zoning of property located at 2405 Vondron Road, 16th Aldermanic District, from Temp A (Agricultural) District to IL (Industrial - Limited) District to provide zoning for recently attached property to be developed with an office building

Sponsors: Planning Division

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

- 73. [32803](#) Creating Section 15.01(591) of the Madison General Ordinances entitled "City Boundaries" and being part of the chapter entitled "Aldermanic Districts and Wards" attaching to the 9th Aldermanic District the Elderberry Attachment, creating Section 15.01(124) of the Madison General Ordinances to assign the attached property to Ward 124, and authorizing submittal of an amendment the Central Urban Service Area.

Sponsors: Paul R. Soglin

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

- 74. [32804](#) Amending Section 7.05 of the Madison General Ordinances to create a definition of a health nuisance and a violation to permit a health nuisance and amending Section 1.08(3)(a) to establish a bail deposit for creating a health nuisance.

Sponsors: Matthew J. Phair

This Ordinance was Referred to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY

- 75. [32807](#) Amending Section 28.031(2)(d) of the Madison General Ordinances to allow for an exception to the sidewalk offset requirement for two-family homes.

Sponsors: Denise DeMarb

This Ordinance was Referred to the VENDING OVERSIGHT COMMITTEE

- 76. [32811](#) Amending Sections 9.13(2), 9.13(6)(h)3.a.iv., 9.13(6)(n)6.,9.13(7)(e)2., 9.13(10), and 10.056 of the Madison General Ordinances to raise various street vending and street use permit fees.

Sponsors: Michael E. Verveer

Additional referral to Board of Estimates

This Ordinance was Referred for Public Hearing to the VENDING OVERSIGHT COMMITTEE

- 77. [32825](#) Amending Sections 28.082, 28.151 and 211 of the Madison General Ordinances to allow sales of heavy-traffic vehicles in the Industrial - Limited (IL) and Industrial - General (IG) districts.

Sponsors: Joseph R. Clausius

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

- 78. [32826](#) Amending various sections of Chapter 28 of the Madison General Ordinances allow Mission Houses and Daytime Shelters as principal uses of land and to add a new definition for Daytime Shelter.

Sponsors: Planning Division and Marsha A. Rummel

This Ordinance was Referred for Public Hearing to the PLAN COMMISSION

- 79. [32827](#) Creating Section 23.01 and amending Section 1.08(3)(a) of the Madison General Ordinances to create a buffer zone at the entrance of health care facilities to protect patients from protestors and creates a bail schedule for violation thereof.

Sponsors: Lisa Subeck, David Ahrens, Shiva Bidar-Sielaff, Joseph R. Clausius, Mark Clear, Denise DeMarb, Larry Palm, Scott J. Resnick, Marsha A. Rummel, John Strasser, Michael E. Verveer, Anita Weier, Ledell Zellers, Lauren Cnare and Sue Ellingson

Additional referral to Public Safety Review Committee

This Ordinance was Referred to the BOARD OF HEALTH FOR MADISON AND DANE COUNTY

- 80. [32844](#) Amending Sections 33.24(15)(c), 33.24(15)(e)3., and 33.24(15)(e)12.b. of the Madison General Ordinances to amend the regulations in Urban Design District 8 to increase the maximum building height from 8 to 10 stories, and to allow up to four (4) bonus stories on up to fifteen percent (15%) of the area of Block 3b.

Sponsors: Ledell Zellers and Marsha A. Rummel

This Ordinance was Referred to the URBAN DESIGN COMMISSION

RESOLUTIONS

- 81. [32670](#) SUBSTITUTE - Accepting the Interim Report: "Demographic Change and the City of Madison: Findings of the Common Council Legislative Agenda Work Group on Demographic Change and Recommendations for Action" and approving a plan for implementing recommendations therein.

Sponsors: Scott J. Resnick, Lauren Cnare, Anita Weier, Matthew J. Phair, Michael E. Verveer, Lisa Subeck, Shiva Bidar-Sielaff, Larry Palm, Steve King, Ledell Zellers and Marsha A. Rummel

Additional rererrals to Housing Strategy Committee, Committee on Aging, Community Development Authority, Community Development Block Grant Committee, Community Services Committee, Transit & Parking Committee, Long Range Transportation Planning Committee, Sustainable Madison Transportation Master Plan Oversight Committee, Board of Health for Madison and Dane County, Education Committee, Affirmative Action Commission, Equal Opportunities Commission

This Resolution was Referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE

- 82. [32748](#) Authorizing the Mayor and Clerk to execute an Offer to Purchase and approving the sale by Quit Claim Deed of 4230 Milford Road to abutting property owners Richard and Lajeane Hoffmann (the "Buyers").

Sponsors: Maurice S. Cheeks

Additional referral to Plan Commission

This Resolution was Referred to the BOARD OF ESTIMATES

- 83. [32777](#) Authorizing no-cost space use agreements or similar agreements with private building owners for police offices, and authorizing the Chief of Police to sign such agreements on behalf of the City.

Sponsors: Paul R. Soglin, Paul E. Skidmore, John Strasser and Maurice S. Cheeks

This Resolution was Referred to the BOARD OF ESTIMATES

- 84. [32828](#) Authorizing the City Treasurer to notify the State of Wisconsin Department of Administration to distribute amounts determined for the school levy tax credit and the lottery and gaming credit for the City of Madison directly to the City Treasurer

Sponsors: Paul R. Soglin

This Resolution was Referred to the BOARD OF ESTIMATES

REPORTS

- 85. [32788](#) Report dated February 4, 2014 re: Board, Committee, Commission, Ad Hoc Committee & Subcommittee Members who have not filed the Statement of Interests Form.

Accept at 3-4-2014 Meeting

A motion was made by Resnick, seconded by Clausius, to Refer to a future Meeting to Accept to the COMMON COUNCIL. The motion passed by voice vote/other.

PRESENTATION OF CLAIMS AGAINST THE CITY OF MADISON

CLAIMS - REFER TO RISK MANAGER

- 86. [32755](#) L. Fleury - property damage - \$1,299.95.

This Claim was Referred to the Risk Manager

- 87. [32760](#) NOTICE OF CLAIM: H. Goldman, attorney for P. Jones - personal injury and property damage - amount to be determined.

This Claim was Referred to the Risk Manager

- 88. [32763](#) R. Berlan, Progressive Universal Insurance Co., for K. Wood - vehicle damage - \$872.80.

This Claim was Referred to the Risk Manager

- 89. [32812](#) NOTICE OF CLAIM: T. Owens, American Family Mutual Insurance Company for A. Schliem - vehicle damage - amount to be determined.

This Claim was Referred to the Risk Manager

- 90. [32813](#) NOTICE OF CLAIM: G. Kattermann - personal injury - amount to be determined.

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.

91. [32752](#) Creating Section 11.06(3)(j), renumbering current Sections 11.06(3)(j) through (y) to Sections 11.06(3)(k) through (z), respectively, and amending Sections 11.06(4)(a) & (b), 11.06(5)(a), 11.06(6)(b)4., 11.06(7)(i)1., 11.06(7)(j), (8)(b), (10)(e), Sec. 12.792 and Sec. 1.08(3)(a) of the Madison General Ordinances to permit low-speed vehicles to be licensed and used as public passenger vehicles.

Sponsors: Scott J. Resnick and Maurice S. Cheeks

ANNOUNCEMENTS & INTRODUCTION OF ITEMS FROM THE FLOOR

None

ADJOURNMENT @ 7:27 PM

A motion was made by Resnick, seconded by Clausius, to Adjourn at 7:27 p.m. The motion passed by voice vote/other.